

ORDINANCES AND RESOLUTIONS
OF THE
MAYOR AND CITY COUNCIL
OF BALTIMORE

PASSED AT THE ANNUAL SESSION 2004-2005

Ordinances 05-001 to 05-168

Resolutions 05-001 to 05-008

Published by

BALTIMORE CITY DEPARTMENT OF LEGISLATIVE REFERENCE

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MAYOR AND CITY COUNCIL OF BALTIMORE
DEPARTMENT OF LEGISLATIVE REFERENCE

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EXPLANATION OF SYMBOLOGY

CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

Underlining indicates matter added to the bill by amendment.

~~Strike out~~ indicates matter stricken from the bill

by amendment or deleted from existing law by amendment.

Underlined italics indicate matter added to the bill by
amendment after printing for third reading.

ORDINANCES

PASSED AT THE ANNUAL SESSION

2004-2005

**CITY OF BALTIMORE
ORDINANCE 05-001
(Council Bill 04-001)**

AN ORDINANCE CONCERNING

**Supplementary Federal Grant Operating Appropriation —
Baltimore City Police Department — \$800,000**

FOR the purpose of providing a Supplementary Federal Grant Operating Appropriation in the amount of \$800,000 to the Baltimore City Police Department — Program 201 (Field Operations Bureau), to provide funding to procure and connect remote microwave cameras in the Port of Baltimore area; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Transportation Security Administration in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

On December 1, 2004, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$800,000 shall be made available to the Baltimore City Police Department — Program 201 (Field Operations Bureau) as a Supplementary Federal Grant Operating Appropriation for Fiscal Year 2005, to provide funds to procure and connect remote microwave cameras in the Port of Baltimore area. The source of revenue for this appropriation is the grant from the Transportation Security Administration in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved March 23, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-002
(Council Bill 05-009)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$604,259**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$604,259 to the Department of Transportation – (Account # 9950-514-802), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract B); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On January 12, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$604,259 shall be made available to the Department of Transportation – (Account # 9950-514-802) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract B). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved March 23, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-003
(Council Bill 05-010)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$500,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$500,000 to the Department of Transportation – (Account # 9950-514-801), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract A); and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On January 12, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the Department of Transportation – (Account # 9950-514-801) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract A). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved March 23, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-004
(Council Bill 05-011)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$6,000,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$6,000,000 to the Department of Transportation – (Account # 9950-514-800), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract 1); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On January 12, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$6,000,000 shall be made available to the Department of Transportation – (Account # 9950-514-800) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract 1). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved March 23, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-005
(Council Bill 05-012)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$450,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$450,000 to the Department of Transportation – (Account # 9950-514-803), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract C); and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On January 12, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$450,000 shall be made available to the Department of Transportation – (Account # 9950-514-803) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract C). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved March 23, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-006
(Council Bill 05-046)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Baltimore City Council – \$69,993**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$69,993 to the Baltimore City Council – Program 100, to provide additional operating funds; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2004 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On February 23, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$69,993 shall be made available to the Baltimore City Council – Program 100, as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide additional operating funds. The source of revenue for this appropriation is the Fiscal 2004 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved March 23, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-007
(Council Bill 05-047)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Mayoralty - City Council Information Technology Project – \$214,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$214,000 to the Mayoralty - City Council Information Technology Project – (Account #9904-127-030), to provide funding for an IT project; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2004 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On February 23, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$214,000 shall be made available to the Mayoralty - City Council Information Technology Project – (Account #9904-127-030) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funding for an IT project. The source of revenue for this appropriation is the Fiscal 2004 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved March 23, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-008
(Council Bill 05-044)**

AN ORDINANCE CONCERNING

Office of Council Services – Name

FOR the purpose of renaming the Office of Councilmanic Services to be the Office of Council Services; deleting certain obsolete provisions; and correcting, clarifying, and conforming certain language.

BY repealing and reordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 2-1(a), 2-2(a)(2) and (b)(1), 2-3(a), 2-4, and 2-5
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 2. Office of Council Services

§ 2-1. Office created; duties.

(a) Created.

The City Council Office of Financial Review is hereby abolished and there is hereby created the Office of [Councilmanic] COUNCIL Services.

§ 2-2. Oversight Committee.

(a) Establishment; composition.

(2) The Committee shall [be comprised of] COMPRISE the Chairpersons of [its] THE COUNCIL'S standing committees and 2 additional members appointed by the President[, provided that 1 member from each delegation shall serve on the Oversight Committee].

(b) Policies and procedures.

(1) The Oversight Committee shall recommend such policies and procedures as are necessary for the effective operation of the Office of [Councilmanic] COUNCIL Services.

§ 2-3. Director – appointment; term; removal.

(a) Appointment of Director.

The Committee shall appoint the Director of the Office of [Councilmanic] COUNCIL Services.

§ 2-4. Director — qualifications; duties.**(a) *In general.***

(1) The Director of the Office of [Councilmanic] COUNCIL Services:

- (i) shall be a person who has prior experience in administration, supervision, taxation, and public finance and the legislative process; and
- (ii) shall have such qualifications, duties, and responsibilities as may be prescribed from time to time by the Oversight Committee as provided in § 2-2 of this subtitle.

(2) The Director shall be a resident of Baltimore City and shall devote full time to the performance of the duties and assignments of the Office of [Councilmanic] COUNCIL Services.

(b) *Reports.*

The Director shall report to the Oversight Committee concerning the operations of the Office of [Councilmanic] COUNCIL Services in a manner specified in the policies and procedures adopted by the Council pursuant to § 2-2 of this subtitle.

(c) *Supervision of staff.*

(1) The Director shall be responsible for the supervision of all employees in the Office of [Councilmanic] COUNCIL Services.

(2) The Director, in consultation with the Oversight Committee, shall assign staff members to work with the various Council committees.

§ 2-5. Staff; supplies; agency assistance.**(a) *Staff.***

The Director of the Office of [Councilmanic] COUNCIL Services is empowered to hire such employees as deemed necessary to perform the duties and exercise the powers conferred by this subtitle and as provided in the Ordinance of Estimates.

(b) *Supplies.*

The Office of [Councilmanic] COUNCIL Services shall be supplied with the necessary books, maps, charts, equipment, stationery, and other incidentals necessary to be paid from funds supplied in the Ordinance of Estimates.

(c) *Agency assistance.*

All departments, bureaus, agencies, boards, and commissions of the municipal government shall, upon request, provide responsible assistance and information to the Office of [Councilmanic] COUNCIL Services.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 16, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-009
(Council Bill 05-052)**

AN ORDINANCE CONCERNING

**Zoning – Conditional Use Amendment –
3132 Harview Avenue**

FOR the purpose of amending the maximum bed capacity for the convalescent, nursing, and rest home (assisted living) on the property known as 3132 Harview Avenue, as outlined in red on the accompanying plat; and correcting certain references.

BY authority of

Article - Zoning
Section(s) 4-604 and 14-102
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments

Ordinance 99-538
Section(s) 1

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Ordinance 99-538

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a convalescent, nursing, and rest home (ASSISTED LIVING) on the property known as 3132 Harview Avenue, as outlined in red on the plat accompanying this Ordinance, in accordance with Article 30, §§ 4-604 and 14-102 [4.3-1d-1 and 11.0-6d] of the Baltimore City Code, subject to the following conditions:

1. the maximum number of resident-clients is [5] 7;
2. the minimum age for resident-clients is 60 years;
3. there may be no more than 2 persons per sleeping room;
4. 24-hour supervision must be provided;

5. there may be no exterior sign on the facility other than a nameplate no larger than 6 inches wide by 6 inches high, and the nameplate may not be illuminated; and
6. the home must comply with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 16, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-010
(Council Bill 05-075)**

AN ORDINANCE CONCERNING

**Minority and Women's Business Program –
"Sunset" – Interim Extension**

FOR the purpose of postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; making certain findings; providing for a special effective date; and generally relating to minority and women's business enterprises.

BY repealing and reordaining, with amendments
Article 5 - Finance, Property, and Procurement
Section(s) 28-6
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 5. Finance, Property, and Procurement

Subtitle 28. Minority and Women's Business Enterprises**§ 28-6. Automatic termination.**

This subtitle automatically expires on [June 30, 2005] DECEMBER 31, 2006, unless the City Council, after causing an appropriate study to be undertaken, conducting public hearings, and hearing testimonial evidence, finds that the purposes identified in this subtitle have not yet been achieved, in which case this subtitle may be extended for 5 more years.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council finds that the existing disparity study remains a valid factual predicate for the Minority and Women's Business Program and provides sufficient legal justification for continuing the Program during the interim extension period enacted by this Ordinance.

SECTION 2 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 16, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-011
(Council Bill 05-017)**

AN ORDINANCE CONCERNING

**City Streets – Opening –
Warden Street**

FOR the purpose of condemning and opening Warden Street, extending from Chase Street southerly 76 feet, more or less, as shown on Plat 347-A-68 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open Warden Street, extending from Chase Street southerly 76 feet, more or less, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Warden Street, 37 feet wide and the south side of Chase Street 66 feet wide, and running thence binding on the east side of said Warden Street, Southerly 76.0 feet, more or less, to intersect the north side of a 4-foot alley laid out in the rear of the properties known as Nos. 415 through 423 E. Chase Street; thence binding on the line of the north side of said 4-foot alley, if projected westerly, Westerly 37.0 feet to intersect the west side of said Warden Street; thence binding on the west side of said Warden Street, Northerly 76.0 feet, more or less, to intersect the south side of said Chase Street, and thence binding on the south side of said Chase Street, Easterly 37.0 feet to the place of beginning.

As delineated on Plat 347-A-68, prepared by the Survey Control Section and filed on September 22, 2004, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of Warden Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 18, 2005

Martin O'Malley, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-012
(Council Bill 05-018)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
Warden Street**

FOR the purpose of condemning and closing Warden Street, extending from Chase Street southerly 76 feet, more or less, as shown on Plat 347-A-68A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close Warden Street, extending from Chase Street southerly 76 feet, more or less, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Warden Street, 37 feet wide and the south side of Chase Street, 66 feet wide, and running thence binding on the east side of said Warden Street, Southerly 76.0 feet, more or less, to intersect the north side of a 4-foot alley laid out in the rear of the properties known as Nos. 415 through 423 E. Chase Street; thence binding on the line of the north side of said 4-foot alley, if projected westerly, Westerly 37.0 feet to intersect the west side of said Warden Street; thence binding on the west side of said Warden Street, Northerly 76.0 feet, more or less, to intersect the south side of said Chase Street, and thence binding on the south side of said Chase Street, Easterly 37.0 feet to the place of beginning.

As delineated on Plat 347-A-68A, prepared by the Survey Control Section and filed on September 22, 2004, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of Warden Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-013
(Council Bill 05-019)**

AN ORDINANCE CONCERNING

**City Streets – Opening –
a 30-Foot Lane**

FOR the purpose of condemning and opening a 30-foot lane lain laid out southwest of the northeast outline of the property known as 4141 Hillen Road, extending from Hillen Road southeasterly 473 feet, more or less, to the end thereof, as shown on Plat 347-A-67 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open a 30-foot lane laid out southwest of the northeast outline of the property known as 4141 Hillen Road, extending from Hillen Road southeasterly, more or less, to the end thereof, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the southeast side of Hillen Road, 120 feet wide and the southwest side of a 30-foot lane, laid out southwest of the northeast outline of the property known as No. 4141 Hillen Road, said point of beginning being distant Northeasterly 737.3 feet, more or less, measured along the southeast side of said Hillen Road from the north side of Argonne Drive, 80 feet wide, and running thence binding on the southeast side of said Hillen Road, Northeasterly 34.1 feet, more or less, to intersect the northeast side of said 30-foot lane; thence binding on the northeast side of the said 30-foot lane and on the northeast outline of said property, there situate, Southeasterly 481.0 feet, more or less, to intersect the southeast outline of said property; thence binding on the southeast outline of said property and on the southeast extremity of said 30-foot lane, there situate, Southwesterly 30.0 feet to intersect the southwest side of said 30-foot lane, and thence binding on the southwest side of said 30-foot lane, Northwesterly 464.8 feet, more or less, to the place of beginning.

As delineated on Plat 347-A-67, prepared by the Survey Control Section and filed on September 10, 2004, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of the 30-foot lane and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-014
(Council Bill 05-020)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
a 30-Foot Lane**

FOR the purpose of condemning and closing a 30-foot lane laid out southwest of the northeast outline of the property known as 4141 Hillen Road, extending from Hillen Road, southeasterly 473 feet, more or less, to the end thereof, as shown on Plat 347-A-67A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions

Section 4

and

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter

(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close a 30-foot lane laid out southwest of the northeast outline of the property known as 4141 Hillen Road, extending from Hillen Road southeasterly 473 feet, more or less, to the end thereof, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the southeast side of Hillen Road, 120 feet wide and the southwest side of a 30-foot lane, laid out southwest of the northeast outline of the property known as No. 4141 Hillen Road, said point of beginning being distant Northeasterly 737.3 feet, more or less, measured along the southeast side of said Hillen Road from the north side of Argonne Drive, 80 feet wide, and running thence binding on the southeast side of said Hillen Road, Northeasterly 34.1 feet, more or less, to intersect the northeast side of said 30-foot lane; thence binding on the northeast side of the said 30-foot lane and on the northeast outline of said property, there situate, Southeasterly 481.0 feet, more or less, to intersect the southeast outline of said property; thence binding on the southeast outline of said property and on the southeast extremity of said 30-foot lane, there situate, Southwesterly 30.0 feet to intersect the southwest side of said 30-foot lane, and thence binding on the southwest side of said 30-foot lane, Northwesterly 464.8 feet, more or less, to the place of beginning.

As delineated on Plat 347-A-67A, prepared by the Survey Control Section and filed on September 10, 2004, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the 30-foot lane and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-015
(Council Bill 05-025)**

AN ORDINANCE CONCERNING

Commission on Homelessness – Repeal of Obsolete Provisions

FOR the purpose of repealing obsolete statutory provisions for a Commission on Homelessness.

BY repealing

Article 1 - Mayor, City Council, and Municipal Agencies
Section(s) 25-1 through 25-10, inclusive, and
the subtitle designation "Subtitle 25. Commission on Homelessness
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

[Subtitle 25. Commission on Homelessness

§ 25-1. Commission created.

There is a Baltimore City Commission on Homelessness.

§ 25-2. Appointment and qualifications.

(a) Composition.

The Commission comprises the following 13 members:

- (1) 1 member appointed by the President of the City Council;
- (2) the head of each of the following City agencies or that official's designee:
 - (i) Health Department;
 - (ii) Department of Housing and Community Development;
 - (iii) Department of Social Services; and
 - (iv) Baltimore Police Department; and
- (3) 8 members appointed by the Mayor in accordance with Article IV, § 6 of the City Charter, as follows:
 - (i) 1 member who is homeless or formerly homeless; and
 - (ii) 7 members to represent nonprofit service and shelter providers, community service and civic groups, charitable and religious organizations, foundations, and business organizations.

(b) Qualifications.

- (1) Each member of the Commission must be a resident of or employed in Baltimore City.
- (2) Of the members appointed under subsection (a)(3)(ii) of this section:

- (i) at least 1 must be a representative of the Baltimore Mental Health Systems; and
- (ii) at least 1 must be a representative of the Baltimore Substance Abuse Systems.

§ 25-3. Tenure; removal.

(a) *Tenure.*

- (1) The term of a member appointed under subsection (a)(3) of this section expires at the end of the Mayor's term of office.
- (2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(b) *Removal.*

- (1) The President of the City Council may remove at will the member appointed under subsection (a)(1) of this section.
- (2) The Mayor may remove at will any member appointed under subsection (a)(3) of this section.

§ 25-4. Officers.

(a) *Chair.*

- (1) The Mayor designates the Chair of the Commission from among its members.
- (2) As required by Article IV, § 6 of the City Charter, the Chair must be a resident and registered voter of Baltimore City.

(b) *Others.*

The Commission may elect a Vice-Chair and other officers from among its members.

§ 25-5. Compensation; staff.

(a) *Compensation.*

Members of the Commission:

- (1) serve without compensation; but
- (2) are entitled to reimbursement of reasonable expenses incurred, as provided in the Ordinance of Estimates.

(b) *Staff.*

- (1) Staff for the Commission is to be provided by the Office of Homeless Services.
- (2) The Office of Homeless Services is responsible for implementing the Commission's policy initiatives.

§ 25-6. Rules.

The Commission may adopt rules to govern its activities.

§ 25-7. Strategic plan.

(a) *Plan required.*

The Commission must develop, adopt, and, as necessary or appropriate from time to time, amend a strategic plan to end homelessness.

(b) *Minimum contents.*

The strategic plan must include, at a minimum:

- (1) timelines for implementing feasible recommendations of the March 2001 Report of the Baltimore City Task Force on Homelessness;
- (2) a description of the homeless population in the City;
- (3) current efforts to provide comprehensive services;
- (4) a needs-assessment of services and policies needed to end homelessness;
- (5) identification of best practices; and
- (6) funding needs and strategies.

§ 25-8. Annual goals and strategies.

The Commission must annually develop goals and strategies to address the needs of the homeless.

§ 25-9. Periodic reports.

(a) *Reports required.*

The Commission must prepare progress reports, quarterly and annually, on the goals identified in its annual goals and strategies.

(b) *Minimum contents.*

These reports must include information on:

- (1) the homeless population and those at risk of becoming homeless;
- (2) the homeless services system in the City; and
- (3) progress in implementing the strategic plan.

(c) *Distribution.*

These reports must be:

- (1) presented to the Mayor, the Housing Commissioner, and the City Council; and
- (2) made available to the public.

§ 25-10. Other duties.

The Commission also is responsible to:

- (1) coordinate public and private sector efforts on behalf of the homeless;
- (2) develop and implement strategies to increase funding for services that benefit the homeless and prevent homelessness;
- (3) in conjunction with the Housing Commissioner, provide oversight of funds available for homeless relief; and
- (4) ensure that the adequacy and quality of homeless services in Baltimore City are regularly evaluated.]

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-016
(Council Bill 05-045)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Operating Appropriation –
Baltimore City Police Department – \$626,000**

FOR the purpose of providing a Supplementary Federal Fund Operating Appropriation in the amount of \$626,000 to the Baltimore City Police Department – Program 201 (Field Operations), to provide funding to acquire necessary equipment and training needs for first responders to threats or acts of terrorism; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Office of Domestic Preparedness in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

On February 23, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$626,000 shall be made available to the Baltimore City Police Department – Program 201 (Field Operations) as a Supplementary Federal Fund Operating Appropriation for Fiscal Year 2005, to provide funding to acquire necessary equipment and training needs for first responders to threats or acts of terrorism. The source of revenue for this appropriation is the grant from the Office of Domestic Preparedness in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-017
(Council Bill 05-048)**

AN ORDINANCE CONCERNING

**Supplementary Conduit Enterprise Operating Appropriation –
Department of Transportation – \$3,071,000**

FOR the purpose of providing a Supplementary Conduit Enterprise Operating Appropriation in the amount of \$3,071,000 to the Department of Transportation – Program 548 (Conduits), to provide funds for system operations and maintenance; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Enterprise Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On February 16, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$3,071,000 shall be made available to the Department of Transportation – Program 548 (Conduits) as a Supplementary Conduit Enterprise Operating Appropriation for Fiscal Year 2005, to provide funds for system operations and maintenance. The source of revenue for this appropriation is the Fiscal 2004 Enterprise Fund Retained Earnings in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-018
(Council Bill 05-055)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$2,000,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$2,000,000 to the Department of Transportation (Account #9950-514-817), to provide capital appropriations for resurfacing various roadways within the City (Gateway Projects Design); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$2,000,000 shall be made available to the Department of Transportation (Account #9950-514-817) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Gateway Projects Design). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-019
(Council Bill 05-057)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$500,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$500,000 to the Department of Transportation (Account #9950-514-809), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract D); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the Department of Transportation (Account #9950-514-809) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract D). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-020
(Council Bill 05-058)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$520,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$520,000 to the Department of Transportation (Account #9950-514-810), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract E); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$520,000 shall be made available to the Department of Transportation (Account #9950-514-810) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract E). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-021
(Council Bill 05-059)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$530,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$530,000 to the Department of Transportation (Account #9950-514-811), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract F); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$530,000 shall be made available to the Department of Transportation (Account #9950-514-811) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract F). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-022
(Council Bill 05-060)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$500,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$500,000 to the Department of Transportation (Account #9950-514-812), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract G); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the Department of Transportation (Account #9950-514-812) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract G). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-023
(Council Bill 05-061)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$550,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$550,000 to the Department of Transportation (Account #9950-514-813), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract H); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$550,000 shall be made available to the Department of Transportation (Account #9950-514-813) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract H). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-24
(Council Bill 05-062)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$533,395**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$533,395 to the Department of Transportation (Account #9950-514-814), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract I); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$533,395 shall be made available to the Department of Transportation (Account #9950-514-814) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract I). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-025
(Council Bill 05-063)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$450,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$450,000 to the Department of Transportation (Account #9950-514-815), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract J); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$450,000 shall be made available to the Department of Transportation (Account #9950-514-815) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract J). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-026
(Council Bill 05-064)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$7,270,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$7,270,000 to the Department of Transportation (Account #9950-514-816), to provide capital appropriations for resurfacing various roadways within the City (Gateway Projects); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$7,270,000 shall be made available to the Department of Transportation (Account #9950-514-816) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Gateway Projects). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-027
(Council Bill 05-065)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$3,000,000**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$3,000,000 to the Department of Transportation (Account #9950-507-436), to provide capital appropriations for construction of the extension of Key Highway; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$3,000,000 shall be made available to the Department of Transportation (Account #9950-507-436) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for the construction of the extension of Key Highway. The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-028
(Council Bill 05-076)**

AN ORDINANCE CONCERNING

**Housing Authority of Baltimore City –
Amendment to 1950 Cooperation Agreement**

FOR the purpose of authorizing and approving amendments to the 1950 Cooperation Agreement between the Mayor and City Council of Baltimore and the Housing Authority of Baltimore City, to include certain properties in the Reservoir Hill and Sharp-Leadenhall neighborhoods in Baltimore City; and providing for a special effective date.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council of Baltimore approves and authorizes the following Amendatory Agreement to the Cooperation Agreement between the Mayor and City Council of Baltimore and the Housing Authority of Baltimore City, dated March 29, 1950, as approved by Ordinance 50-1077 (the "Cooperation Agreement"), and as further amended and extended from time to time, to include additional low-rent housing projects, as follows:

THIS AMENDATORY AGREEMENT is made and entered into this ____ day of _____ 20__, by and between the Mayor and City Council of Baltimore (the "City") and the Housing Authority of Baltimore City ("HABC").

WHEREAS, under Article 44A, § 1-301 of the Maryland Code, HABC has entered into one or more contracts with the U.S. Department of Housing and Urban Development ("HUD") for loans and annual contributions in connection with the development and/or administration of low-rent housing, all pursuant to the United States Housing Act of 1937, as amended (the "Act").

WHEREAS, by Ordinance 50-1077, approved March 29, 1950, the City entered into a Cooperation Agreement with HABC for the development of 10,000 low-rent dwelling units, to be located within the corporate limits of Baltimore City, and agreed to assist and cooperate with HABC in that undertaking, all in compliance with the Act.

WHEREAS, The Cooperation Agreement was further amended and extended by Ordinance 70-791, Ordinance 77-293, and Ordinance 81-292, to provide for the development and rehabilitation of scattered-site units to be used as low-income public housing.

WHEREAS, HABC and its development partners seek to substantially rehabilitate 94 obsolete scattered-site, low-income public housing units in the Reservoir Hill and Sharp-Leadenhall neighborhoods in Baltimore City (collectively, the "Housing Projects").

WHEREAS, funding has been and will further be made available to HABC from HUD and the State of Maryland to develop and operate the Housing Projects.

WHEREAS, the Act now authorizes HABC to own, operate, assist, or otherwise participate in one or more mixed-finance projects, as more specifically defined in Section 35 of the Act.

WHEREAS, the Housing Projects, individually and collectively, will be mixed-financed projects, as that term is defined in Section 35 of the Act, to be developed, owned, and managed as housing projects for persons of eligible income, by entities in which HABC has or will have an ownership interest, all in accordance with Article 44A, § 1-302(a)(7).

WHEREAS, the Housing Projects will be developed and owned by these entities subject to a 99-year ground lease on the land owned in fee simple by HABC, and will be reserved as low-income housing for eligible low-income persons.

WHEREAS, Under Article 44A, § 1-104(a), any HABC property and any property used as housing for persons of eligible income that is owned by an entity related to HABC is exempt from all taxes and special assessments; in lieu of taxes and special assessments, HABC or an entity related to HABC "shall make payments to the [C]ity ... in such amount, if any, as may be set by mutual agreement ...; provided, however, that the sum to be paid to the [City] shall not exceed an amount equal to the regular taxes levied upon similar property."

WHEREAS, the Housing Projects will consist of 94 dwelling units, among other things not here relevant, to be occupied by persons of eligible income.

WHEREAS, HABC and entities related to HABC are desirous of making certain Payments in Lieu of Taxes to the City for all of the Housing Projects, and the City is desirous of cooperating with HABC and HUD by furnishing or causing to be furnished to the Housing Projects and their qualified tenants certain public services, all in conformity with Sections 5(e) and 6 of the Act.

NOW, THEREFORE, in consideration of the mutual covenants set forth, the City and HABC agree as follows:

1. Notwithstanding any limitations or restrictions set forth in Sections 1 and 3(a) of the Cooperation Agreement, the Mayor and City Council approves and authorizes the extension of the Cooperation Agreement, in all its applicable terms, covenants, and conditions to the low-rent, mixed-finance Housing Projects, comprising not more than 94 low-rent dwelling units in total, to be occupied by persons of eligible income. The Housing Projects shall be developed on various sites located in the Reservoir Hill and Sharp-Leadenhall neighborhoods in Baltimore City, and owned by entities in which HABC has or will have an ownership interest.

2. In all other respects, the Cooperation Agreement, as amended, shall continue and remain in full force and effect.

IN WITNESS WHEREOF, The City and HABC have respectively signed this Agreement and caused their seals to be affixed and attested as of the day and year first above written.

ATTEST:

MAYOR AND CITY COUNCIL OF BALTIMORE

By _____
Mayor

ATTEST:

HOUSING AUTHORITY OF BALTIMORE CITY

By _____
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY, this ____ day of _____, 20__.

City Solicitor

APPROVED BY THE BOARD OF ESTIMATES, this ____ day of _____, 20__.

President

SECTION 2. AND BE IT FURTHER ORDAINED, That the Amendatory Agreement shall become binding upon the Mayor and City Council of Baltimore on its execution on behalf of the Mayor and City Council of Baltimore by the Mayor, and its execution on behalf of the Housing Authority of Baltimore City by the Chair of its Board of Commissioners, subject to the approval as to form and legal sufficiency by the City Solicitor of Baltimore and approval by the Board of Estimates of Baltimore, duly endorsed in the spaces provided on the Agreement.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-029
(Council Bill 05-089)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Operating Appropriation –
Baltimore City Police Department – \$98,948**

FOR the purpose of providing a Supplementary Federal Fund Operating Appropriation in the amount of \$98,948 to the Baltimore City Police Department – Program 201 (Field Operations), to provide funding to purchase 25 in-car video surveillance cameras; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Office of Community Oriented Policing Services in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

On April 13, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$98,948 shall be made available to the Baltimore City Police Department – Program 201 (Field Operations) as a Supplementary Federal Fund Operating Appropriation for Fiscal Year 2005, to provide funding to purchase 25 in-car video surveillance cameras. The source of revenue for this appropriation is a grant from the Office of Community Oriented Policing Services in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-030
(Council Bill 05-090)**

AN ORDINANCE CONCERNING

**Supplementary State Fund Operating Appropriation –
Baltimore City Police Department – \$98,095**

FOR the purpose of providing a Supplementary State Fund Operating Appropriation in the amount of \$98,095 to the Baltimore City Police Department – Program 202 (Criminal Investigation), to provide funding to enable the Department’s Crime Laboratory personnel to photograph firearms and firearm components digitally; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Governor’s Office of Crime Control and Prevention in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

On April 13, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$98,095 shall be made available to the Baltimore City Police Department – Program 202 (Criminal Investigation) as a Supplementary State Fund Operating Appropriation for Fiscal Year 2005, to provide funding to enable the Department’s Crime Laboratory personnel to photograph firearms and firearm components digitally. The source of revenue for this appropriation is a grant from the Governor’s Office of Crime Control and Prevention in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved May 18, 2005

MARTIN O’MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-031
(Council Bill 05-130)**

AN ORDINANCE CONCERNING

**Franchise – Private Bridgeway Above and Across
the Bed of Hunter Street**

FOR the purpose of granting a franchise to Printers' Square Apartments Limited Partnership to ~~construct~~, use; and maintain a private enclosed bridgeway above and across the Hunter Street right-of-way, subject to certain terms, conditions, and reservations; and providing for a special effective date.

BY authority of
Article VIII - Franchises
Baltimore City Charter
(1996 Edition)

Recitals

Printers' Square Apartments Limited Partnership purchased privately and publicly held vacant buildings for historic redevelopment into a 60 apartment rental property, with 30 market rate apartments and 30 affordable apartments, the entire development to be known as Printers' Square Apartments.

Three of the buildings included in the redevelopment are connected with bridgeways beginning at a second story level and extending across and above the Hunter Street right-of-way.

Ordinance 62-1238 granted permission to Williams and Wilkins Company to construct, use, and maintain a 3 story bridgeway from the rear of the property known as 1310 Guilford Avenue, to the front of the property now known as 1300/1314 Hunter Street.

Printers' Square Apartments Limited Partnership, the new owner of the aforementioned properties and bridgeway, is seeking permission to use and maintain the bridgeway above and across a portion of the Hunter Street right-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That a franchise or right is granted to Printers' Square Apartments Limited Partnership, its tenants, successors, and assigns (collectively, the "Grantee") to ~~construct~~, use; and maintain, at Grantee's own cost and expense, and subject to the terms and conditions of this Ordinance, a private enclosed 3-story bridgeway that connects a building known as 1310 Guilford Avenue to a building known as 1300/1314 Hunter Street, and located within an aerial easement area more particularly described as follows:

The enclosed 3-story bridgeway is located to the rear of the building known as 1310 Guilford Avenue, extending from the southwest corner of the building at the second through fourth story levels, above and across the Hunter Street right-of-way, to connect to the southeast corner of the building known as 1300/1314 Hunter Street at the second through fourth story levels, and measuring approximately 20 feet long by 30 feet wide by 43 feet high. The bridgeway is approximately 14 feet above the street bed at its lowest point and contains approximately 600 square feet in plane for each of the three floors, for a total of 1,800 square feet.

SECTION 2. AND BE IT FURTHER ORDAINED, That to become effective, the franchise or right granted by this Ordinance (the "Franchise") must be executed and enjoyed by the Grantee within 6 months after the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as compensation for the Franchise, the Grantee shall pay to the Mayor and City Council of Baltimore a franchise charge of \$11,406 a year, subject to increase or decrease as provided in Section 5 of this Ordinance. The franchise charge must be paid annually, at least 30 days before the initial and each renewal term of the Franchise.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The initial term of the Franchise is 1 year, commencing on the effective date of this Ordinance. Unless sooner terminated as provided in this Ordinance, the Franchise will automatically renew, without any action by either the Mayor and City Council of Baltimore or the Grantee, for 24 consecutive 1-year renewal terms. Except as otherwise provided in this Ordinance, each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years.

(b) Either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may cancel the Franchise as at the end of the initial or any renewal term by giving written notice of cancellation to the other at least 90 days before the end of that term.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the annual franchise charge by giving written notice of the increase or decrease to the Grantee at least 150 days before the end of the original or renewal term immediately preceding the renewal term to which the increase or decrease will first apply. The new franchise charge will apply to all subsequent annual renewal terms, unless again increased or decreased in accordance with this section.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore expressly reserves the right at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control over and in respect to all matters connected with the Franchise and not inconsistent with the terms of this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Grantee, at its own cost and expense, shall maintain in good condition and in compliance with all applicable laws and regulations of Baltimore City, all structures for which the Franchise is granted. The maintenance of these structures shall be at all times subject to the regulation and control of the Commissioner of Housing and Community Development and the Director of Public Works. If any structure for which the Franchise is granted must be readjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs and expenses in connection with the readjustment, relocation, protection, or support.

SECTION 8. AND BE IT FURTHER ORDAINED, That at the option of the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, the Grantee's failure to comply with any term or condition of this Ordinance constitutes a forfeiture of the Franchise. Immediately on written notice to the Grantee of the exercise of this option, the Franchise terminates. Once so terminated, only an ordinance of the Mayor and City Council of Baltimore may waive the forfeiture or otherwise reinstate the Franchise.

SECTION 9. AND BE IT FURTHER ORDAINED, That at any time and without prior notice, the Mayor of Baltimore City may revoke the Franchise if, in the Mayor's judgment, the public interest, welfare, safety, or convenience so requires. Immediately on written notice to the Grantee of the exercise of this right, the Franchise terminates.

SECTION 10. AND BE IT FURTHER ORDAINED, That on cancellation, expiration, forfeiture, revocation, or other termination of the Franchise for any reason, the Grantee shall remove all structures for which the Franchise is granted. The removal of these structures shall be (i) undertaken at the cost and expense of the Grantee, without any compensation from the Mayor and City Council of Baltimore, (ii) made in a manner satisfactory to the Commissioner of Housing and Community Development and the Director of Public Works, and (iii) completed within the time specified in writing by the Director of Public Works.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Grantee is liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against all suits, losses, costs, claims, damages, or expenses to which the Mayor and City Council of Baltimore is at any time subjected on account of, or in any way resulting from, (i) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of any of the structures for which the Franchise is granted, or (ii) any failure of the Grantee, its officers, employees, or agents, to perform promptly and properly any duty or obligation imposed on the Grantee by this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 19, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-032
(Council Bill 05-131)**

AN ORDINANCE CONCERNING

**Franchise – Private Bridgeway Above and Across
the Bed of Hunter Street**

FOR the purpose of granting a franchise to Printers' Square Apartments Limited Partnership to ~~construct~~, use; and maintain a private enclosed 2-story bridgeway above and across the Hunter Street right-of-way, subject to certain terms, conditions, and reservations; and providing for a special effective date.

BY authority of

Article VIII - Franchises
Baltimore City Charter
(1996 Edition)

Recitals

Printers' Square Apartments Limited Partnership purchased privately and publicly held vacant buildings for historic redevelopment into a 60 apartment rental property, with 30 market rate apartments and 30 affordable apartments, the entire development to be known as Printers' Square Apartments.

Three of the buildings included in the redevelopment are connected with bridgeways at a second story level that extend across and above the Hunter Street right-of-way.

Ordinance 25-420 granted permission to Williams and Wilkins Company to construct, use, and maintain a bridgeway from the rear of the property now known as 1314 Guilford Avenue, to the front of the property now known as 1300/1314 Hunter Street.

Ordinance 64-342 renewed permission to Williams and Wilkins Company to use and maintain the bridgeway.

Printers' Square Apartments Limited Partnership, the new owner of the aforementioned properties and bridgeway, is seeking permission to use and maintain the bridgeway above and across a portion of the Hunter Street right-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That a franchise or right is granted to Printers' Square Apartments Limited Partnership, its tenants, successors, and assigns (collectively, the "Grantee") to ~~construct~~, use, and maintain, at Grantee's own cost and expense, and subject to the terms and conditions of this Ordinance, a private enclosed 2-story bridgeway that connects a building located at the southwest corner of Guilford and Mount Royal Avenues and known as 1314 Guilford Avenue to a building known as 1300/1314 Hunter Street, and located within an aerial easement area more particularly described as follows:

The enclosed ~~single-story~~ 2-story bridgeway is located to the rear of the building known as 1314 Guilford Avenue, extending from the southwest corner of the building at the second ~~through third~~ level levels, above and across the Hunter Street right-of-way, to connect to the northeast corner of the building known as 1300/1314 Hunter Street at the second ~~through third~~ level levels, and measuring approximately 20 feet long by 8 feet wide by 26 feet high. The bridgeway is approximately 15 feet above the street bed at its lowest point and contains approximately 160 square feet in plane for each of the two floors, for a total of 320 square feet.

SECTION 2. AND BE IT FURTHER ORDAINED, That to become effective, the franchise or right granted by this Ordinance (the "Franchise") must be executed and enjoyed by the Grantee within 6 months after the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as compensation for the Franchise, the Grantee shall pay to the Mayor and City Council of Baltimore a franchise charge of \$2,364.80 a year, subject to increase or decrease as provided in Section 5 of this Ordinance. The franchise charge must be paid annually, at least 30 days before the initial and each renewal term of the Franchise.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The initial term of the Franchise is 1 year, commencing on the effective date of this Ordinance. Unless sooner terminated as provided in this Ordinance, the Franchise will automatically renew, without any action by either the Mayor and City Council of Baltimore or the Grantee, for 24 consecutive 1-year renewal terms. Except as otherwise provided in this Ordinance, each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years.

(b) Either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may cancel the Franchise as at the end of the initial or any renewal term by giving written notice of cancellation to the other at least 90 days before the end of that term.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the annual franchise charge by giving written notice of the increase or decrease to the Grantee at least 150 days before the end of the original or renewal

term immediately preceding the renewal term to which the increase or decrease will first apply. The new franchise charge will apply to all subsequent annual renewal terms, unless again increased or decreased in accordance with this section.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore expressly reserves the right at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control over and in respect to all matters connected with the Franchise and not inconsistent with the terms of this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Grantee, at its own cost and expense, shall maintain in good condition and in compliance with all applicable laws and regulations of Baltimore City, all structures for which the Franchise is granted. The maintenance of these structures shall be at all times subject to the regulation and control of the Commissioner of Housing and Community Development and the Director of Public Works. If any structure for which the Franchise is granted must be readjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs and expenses in connection with the readjustment, relocation, protection, or support.

SECTION 8. AND BE IT FURTHER ORDAINED, That at the option of the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, the Grantee's failure to comply with any term or condition of this Ordinance constitutes a forfeiture of the Franchise. Immediately on written notice to the Grantee of the exercise of this option, the Franchise terminates. Once so terminated, only an ordinance of the Mayor and City Council of Baltimore may waive the forfeiture or otherwise reinstate the Franchise.

SECTION 9. AND BE IT FURTHER ORDAINED, That at any time and without prior notice, the Mayor of Baltimore City may revoke the Franchise if, in the Mayor's judgment, the public interest, welfare, safety, or convenience so requires. Immediately on written notice to the Grantee of the exercise of this right, the Franchise terminates.

SECTION 10. AND BE IT FURTHER ORDAINED, That on cancellation, expiration, forfeiture, revocation, or other termination of the Franchise for any reason, the Grantee shall remove all structures for which the Franchise is granted. The removal of these structures shall be (i) undertaken at the cost and expense of the Grantee, without any compensation from the Mayor and City Council of Baltimore, (ii) made in a manner satisfactory to the Commissioner of Housing and Community Development and the Director of Public Works, and (iii) completed within the time specified in writing by the Director of Public Works.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Grantee is liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against all suits, losses, costs, claims, damages, or expenses to which the Mayor and City Council of Baltimore is at any time subjected on account of, or in any way resulting from, (i) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of any of the structures for which the Franchise is granted, or (ii) any failure of the Grantee, its officers, employees, or agents, to perform promptly and properly any duty or obligation imposed on the Grantee by this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved May 19, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-033
(Council Bill 05-053)**

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment – 1000 and 1001 Fell Street

FOR the purpose of approving certain amendments to the Development Plan of the 1000 and 1001 Fell Street Planned Unit Development.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 4
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 79-978, the Mayor and City Council approved the application of Gaylord Brooks Investment Company to have certain property known as 1000 and 1001 Fell Street designated as a Business Planned Unit Development and approved the Development Plan submitted by the applicant.

Henderson's Wharf Marina, LLC, and Henderson's Wharf Baltimore, LLC, wish to amend the Development Plan, as previously approved by the Mayor and City Council, ~~to allow for an expansion of boundaries to include all of the riparian rights associated with these properties for a total acreage to show the entire area affected by the project, including areas subject to the riparian rights of 1000 and 1001 Fell Street, for a total affected area of 16.59 acres, more or less, and to amend the plans to accommodate development on the property known as 1001 Fell Street.~~

On January 26, 2005, representatives of Henderson's Wharf Marina, LLC, and Henderson's Wharf Baltimore, LLC, met with the Fells Point Task Force. The Fells Point Task Force voted to approve the exterior changes to the Henderson's Pier project contingent upon approval by the Preservation Society's design review committee and the appropriate amendments to the PUD being presented to the City Council.

On January 28, 2005, representatives of Henderson's Wharf Marina, LLC, and Henderson's Wharf Baltimore, LLC, met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

The representatives of Gunn Financial, Inc., have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the amendments to the Development Plan submitted by the Developer, as attached to and made part of this Ordinance, including Sheet 1, "Existing Conditions Plan", dated ~~February 15~~ April 29, 2005, Sheet 2, "Proposed Development Plan", dated February 15, 2005, Sheet 3, "Final Development Plan 1001 Fell Street", dated February 15, 2005, Sheet 4, "North South Elevations", dated February 15, 2005, Sheet 5, "East West Elevations", dated February 15, 2005, Sheet 6, "Section", dated February 15, 2005, Sheet 7, "Landscaping Plan", dated February 15, 2005, and Sheet 8, "Garage Site Plan", dated February 15, 2005.

SECTION 2. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 4, the following uses are allowed in the Planned Unit Development:

- (a) All uses are allowed as designated in the B-3 Zoning District and as allowed by the Fells Point Urban Renewal Plan.
- (b) The maximum residential density is based on the density requirements of the underlying B-3-3 zoning and the Fells Point Urban Renewal Plan. Calculations are based on the cumulative lot size and not on a lot-by-lot basis.
- (c) Marinas are permitted by right as long as they are in conformance with the ~~“Marina Maritime~~ Master Plan, a Plan for the Waters of Baltimore’s Harbor²², Amended 2003”.
- (d) All uses are subject to all State and City laws regarding the Chesapeake Bay Critical Areas.

SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 4, and Title 10, the following are the parking requirements for this Planned Unit Development:

- (a) 1.5 spaces for every dwelling unit.
- (b) 1 space for every hotel or inn room.
- (c) 1 space for every 3 marina slips. The existing marina was approved prior to the Zoning Code amendment that requires 1 space for every 2 marina slips. If slips are designated exclusively for use by the Inn patrons, then no parking spaces are required for those slips.
- (d) All other uses are as required by the underlying B-3-3 zoning and the Fells Point Urban Renewal Plan.

SECTION 4. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Department of Planning may determine what constitutes a minor or major modification to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 6. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying amended Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 13, 2005

MARTIN O’MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-034
(Council Bill 05-067)**

AN ORDINANCE CONCERNING

**Rezoning – Certain Properties in the
Canton Waterfront Urban Renewal Area**

FOR the purpose of changing the zoning for the properties outlined in red on the accompanying amended plat, consisting of the properties listed on Exhibit 1, dated May 4, 2005, attached to and made part of this Ordinance, from the B-3-3 Zoning District to the R-8 Zoning District, and for the properties outlined in blue on the accompanying amended plat, consisting of the properties listed on Exhibit 2, dated May 4, 2005, attached to and made part of this Ordinance, from the M-2-2 Zoning District to the R-8 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 57
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 57 of the Zoning District Maps is amended by changing from the B-3-3 Zoning District to the R-8 Zoning District the properties outlined in red on the amended plat accompanying this Ordinance, as listed on Exhibit 1, dated May 4, 2005, attached to and made part of this Ordinance, and by changing from the M-2-2 Zoning District to the R-8 Zoning District the properties outlined in blue on the amended plat accompanying this Ordinance, as listed on Exhibit 2, dated May 4, 2005, attached to and made part of this Ordinance

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

**Exhibit 1
Properties to be Rezoned from B-3-3 to R-8**

**Ward 1, Section 4
Block 1784**

504 South Collington Avenue
506 South Collington Avenue
510 South Collington Avenue
512 South Collington Avenue
514 South Collington Avenue

2128 Fleet Street
2126 Fleet Street
2124 Fleet Street
2122 Fleet Street
2120 Fleet Street
2118 Fleet Street
2116 Fleet Street
2114 Fleet Street
2112 Fleet Street
2110 Fleet Street
2108 Fleet Street
2106 Fleet Street
2104 Fleet Street
2102 Fleet Street
2100 Fleet Street
533 South Chester Street
531 South Chester Street
529 South Chester Street
527 South Chester Street
525 South Chester Street
523 South Chester Street
521 South Chester Street
519 South Chester Street
517 South Chester Street
515 South Chester Street
513 South Chester Street
511 South Chester Street
509 South Chester Street
513 South Duncan Street
519 South Duncan Street
521 South Duncan Street
506 South Duncan Street
508 South Duncan Street
510 South Duncan Street
512 South Duncan Street
514 South Duncan Street
516 South Duncan Street
518 South Duncan Street
520 South Duncan Street
522 South Duncan Street
524 South Duncan Street

Block 1785

505 South Collington Avenue
507 South Collington Avenue
509 South Collington Avenue
511 South Collington Avenue
513 South Collington Avenue
515 South Collington Avenue
517 South Collington Avenue
519 South Collington Avenue
521 South Collington Avenue

2200 Fleet Street
2204 Fleet Street
2206 Fleet Street
2208 Fleet Street
2210 Fleet Street
2212 Fleet Street
2214 Fleet Street
2216 Fleet Street
2218 Fleet Street
2220 Fleet Street
2222 Fleet Street
2224 Fleet Street
2226 Fleet Street
2228 Fleet Street
2230 Fleet Street
2232 Fleet Street
2234 Fleet Street
2236 Fleet Street
2238 Fleet Street
2240 Fleet Street
2242 Fleet Street
2244 Fleet Street
2246 Fleet Street
520 South Patterson Park Avenue
516 South Patterson Park Avenue
514 South Patterson Park Avenue
510 South Patterson Park Avenue
508 South Patterson Park Avenue
506 South Patterson Park Avenue
504 South Patterson Park Avenue
502 South Patterson Park Avenue
505 South Madeira Street
507 South Madeira Street
509 South Madeira Street
511 South Madeira Street
513 South Madeira Street
515 South Madeira Street
517 South Madeira Street
519 South Madeira Street
504 South Madeira Street
506 South Madeira Street
508 South Madeira Street
510 South Madeira Street
512 South Madeira Street
514 South Madeira Street
516 South Madeira Street
518 South Madeira Street
520 South Madeira Street
2201 Duker Court
2203 Duker Court
2205 Duker Court
2207 Duker Court

2209 Duker Court
2211 Duker Court
2209 Winterling Court
2211 Winterling Court
2213 Winterling Court
2215 Winterling Court
2217 Winterling Court
2219 Winterling Court
520 Holtzman Court
522 Holtzman Court
524 Holtzman Court
526 Holtzman Court
528 Holtzman Court
530 Holtzman Court

~~Block 1833~~

~~2100 Boston Street~~

Block 1834

2101 Essex Street
2103 Essex Street
2105 Essex Street
2107 Essex Street
2109 Essex Street
2111 Essex Street
2113 Essex Street
2115 Essex Street
2117 Essex Street
2119 Essex Street
Descriptive Property k/a Block 1834, Lot 006E
2201 Essex Street
2203 Essex Street
2205 Essex Street
2207 Essex Street
2209 Essex Street
2211 Essex Street
2213 Essex Street
2215 Essex Street
2219 Essex Street
2221 Essex Street
2226 Cambridge Street
2224 Cambridge Street
2222 Cambridge Street
2220 Cambridge Street
2218 Cambridge Street
2216 Cambridge Street
2214 Cambridge Street
2206 Cambridge Street
2204 Cambridge Street
2202 Cambridge Street
2200 Cambridge Street
2134 Cambridge Street
2132 Cambridge Street

2130 Cambridge Street
2128 Cambridge Street
2124 Cambridge Street
2122 Cambridge Street
2120 Cambridge Street
2114 Cambridge Street
2112 Cambridge Street
2110 Cambridge Street
2108 Cambridge Street
2106 Cambridge Street
2104 Cambridge Street
2102 Cambridge Street
701 Van Lill Street
703 Van Lill Street
705 Van Lill Street
707 Van Lill Street
709 Van Lill Street
2115 Fleet Street

Block 1835

2216 Essex Street
2218 Essex Street
2220 Essex Street
2222 Essex Street
2224 Essex Street
2226 Essex Street
2228 Essex Street
2230 Essex Street
2232 Essex Street
2234 Essex Street
2236 Essex Street
2238 Essex Street
2240 Essex Street
2242 Essex Street
2244 Essex Street
610 South Patterson Park Avenue
608 South Patterson Park Avenue
606 South Patterson Park Avenue
604 South Patterson Park Avenue
602 South Patterson Park Avenue
2229 Fleet Street
2225 Fleet Street
2223 Fleet Street
2221 Fleet Street
2219 Fleet Street
2217 Fleet Street
2215 Fleet Street
2213 Fleet Street
2211 Fleet Street
2200 Essex Street
2204 Essex Street
2208 Essex Street
2212 Essex Street

Block 1849A

2223 Essex Street
2225 Essex Street
2227 Essex Street
2229 Essex Street
2231 Essex Street
2233 Essex Street
2235 Essex Street
2237 Essex Street
2239 Essex Street
2244 Cambridge Street
2242 Cambridge Street
2240 Cambridge Street
2238 Cambridge Street
2236 Cambridge Street
2234 Cambridge Street
2232 Cambridge Street
2230 Cambridge Street
2228 Cambridge Street

Exhibit 2

Properties to be Rezoned from M-2-2 to R-8

Ward 1, Section 4

Block 1833

2125 Cambridge Street
2129 Cambridge Street
2131 Cambridge Street
2133 Cambridge Street
2135 Cambridge Street
2137 Cambridge Street
2139 Cambridge Street
2141 Cambridge Street
2143 Cambridge Street
2150 Boston Street

Block 1849

2301 Essex Street
2303 Essex Street
~~2305 Essex Street~~
2313 Essex Street
2317 Essex Street
2321 Essex Street
2323 Essex Street
2325 Essex Street
2327 Essex Street
2329 Essex Street
2326 Cambridge Street
2324 Cambridge Street
2322 Cambridge Street
2320 Cambridge Street
2318 Cambridge Street
2316 Cambridge Street

2314 Cambridge Street
2312 Cambridge Street
2310 Cambridge Street
2308 Cambridge Street
2306 Cambridge Street
2304 Cambridge Street
2302 Cambridge Street
2300 Cambridge Street

Block 1853

2300 Essex Street
2308 Essex Street
2310 Essex Street
2312 Essex Street
2314 Essex Street
2316 Essex Street
2318 Essex Street
2320 Essex Street
2322 Essex Street
2324 Essex Street
720 South Montford Avenue
714 South Montford Avenue
712 South Montford Avenue
710 South Montford Avenue
708 South Montford Avenue
706 South Montford Avenue
704 South Montford Avenue
702 South Montford Avenue
700 South Montford Avenue
2313 Foster Avenue
2311 Foster Avenue
2309 Foster Avenue
2307 Foster Avenue
2305 Foster Avenue

Approved June 13, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-035
(Council Bill 05-088)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Operating Appropriation –
Baltimore City Police Department – \$300,000**

FOR the purpose of providing a Supplementary Federal Fund Operating Appropriation in the amount of \$300,000 to the Baltimore City Police Department – Program 204 (Services Bureau), to provide funding for a multi-pronged domestic violence reduction program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Office on Violence Against Women in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

On April 13, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$300,000 shall be made available to the Baltimore City Police Department – Program 204 (Services Bureau) as a Supplementary Federal Fund Operating Appropriation for Fiscal Year 2005, to provide funding for a multi-pronged domestic violence reduction program. The source of revenue for this appropriation is a grant from the Office on Violence Against Women in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 13, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-036
(Council Bill 05-104)**

AN ORDINANCE CONCERNING

Ordinance of Estimates for the Fiscal Year Ending June 30, 2006

FOR the purpose of providing the appropriations estimated to be needed by each agency of the City of Baltimore for operating programs and capital projects during the fiscal 2006 year.

BY authority of
Article VI - Board of Estimates
Section 3 et seq.
Baltimore City Charter (1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following amounts or so much thereof as shall be sufficient are hereby appropriated subject to the provisions hereinafter set forth for the purpose of carrying out the programs included in the operating budget and the projects listed in the capital budget from the amounts estimated to be available in the designated funds during the fiscal year ending June 30, 2006.

A. Operating Budget

Board of Elections

180	Voter Registration and Conduct of Elections		
	General Fund Appropriation	\$	5,675,353
	Federal Fund Appropriation	\$	250,000

City Council

100	City Legislation		
	General Fund Appropriation	\$	3,549,490

Community Relations Commission

156	Development of Intergroup Relations		
	General Fund Appropriation	\$	880,000
	Federal Fund Appropriation	\$	57,556

Comptroller

130	Executive Direction and Control		
	General Fund Appropriation	\$	487,232
131	Audits		
	General Fund Appropriation	\$	3,017,995
132	Real Estate Acquisition and Management		
	General Fund Appropriation	\$	556,072
	Special Fund Appropriation	\$	173,402

Council Services

103	Council Services		
	General Fund Appropriation	\$	541,762

Courts: Circuit Court

110	Circuit Court		
	General Fund Appropriation	\$	8,032,939
	Federal Fund Appropriation	\$	1,289,127
	State Fund Appropriation	\$	3,841,980

Courts: Orphans' Court

112	Orphans' Court		
	General Fund Appropriation	\$	429,012

Employees' Retirement Systems

152	Employees' Retirement System		
	Special Fund Appropriation	\$	4,553,687
154	Fire and Police Retirement System		
	Special Fund Appropriation	\$	3,503,005

Enoch Pratt Free Library

450	Administrative and Technical Services		
	General Fund Appropriation	\$	4,797,428
	State Fund Appropriation	\$	1,611,596
	Special Fund Appropriation	\$	496,127
452	Neighborhood Services		
	General Fund Appropriation	\$	8,195,505
	State Fund Appropriation	\$	86,649
453	State Library Resource Center		
	General Fund Appropriation	\$	6,625,355
	State Fund Appropriation	\$	8,627,521

Finance

140	Administrative Direction and Control		
	General Fund Appropriation	\$	963,979
141	Budget and Management Research		
	General Fund Appropriation	\$	984,101
142	Accounting and Payroll Services		
	General Fund Appropriation	\$	2,294,706
	Loan and Guarantee Fund Appropriation	\$	3,154,422
144	Purchasing		
	General Fund Appropriation	\$	2,085,357
150	Treasury Management		
	General Fund Appropriation	\$	2,842,008

Fire

210	Administrative Direction and Control		
	General Fund Appropriation	\$	7,887,430

211	Training		
	General Fund Appropriation	\$	2,003,437
212	Fire Suppression		
	General Fund Appropriation	\$	91,697,832
	Federal Fund Appropriation	\$	6,082,000
	State Fund Appropriation	\$	100,000
213	Fire Marshal		
	General Fund Appropriation	\$	3,289,663
	Federal Fund Appropriation	\$	20,000
	State Fund Appropriation	\$	70,000
	Special Fund Appropriation	\$	10,000
214	Support Services		
	General Fund Appropriation	\$	5,689,256
	State Fund Appropriation	\$	976,335
215	Fire Alarm and Communications		
	General Fund Appropriation	\$	3,600,919
	State Fund Appropriation	\$	5,000
219	Non-actuarial Retirement Benefits		
	General Fund Appropriation	\$	135,000
319	Ambulance Service		
	General Fund Appropriation	\$	3,801,475
	Federal Fund Appropriation	\$	410,000
	State Fund Appropriation	\$	88,500
	Special Fund Appropriation	\$	10,990,000
Health			
240	Animal Control		
	General Fund Appropriation	\$	2,061,498
	Special Fund Appropriation	\$	14,000
300	Administrative Direction and Control		
	General Fund Appropriation	\$	3,679,412
301	Baltimore Homeless Services		
	General Fund Appropriation	\$	266,000
	Federal Fund Appropriation	\$	24,188,382
	State Fund Appropriation	\$	3,212,471
	Special Fund Appropriation	\$	6,163
302	Environmental Health		
	General Fund Appropriation	\$	3,817,440
	Federal Fund Appropriation	\$	1,245,674
	State Fund Appropriation	\$	265,046
	Special Fund Appropriation	\$	70,000
303	Special Purpose Grants		
	Special Fund Appropriation	\$	2,000,000

304	Health Promotion and Disease Prevention		
	General Fund Appropriation	\$	3,204,805
	Federal Fund Appropriation	\$	30,536,993
	State Fund Appropriation	\$	566,242
305	Health Services Initiatives		
	General Fund Appropriation	\$	180,219
	Federal Fund Appropriation	\$	2,981,318
	State Fund Appropriation	\$	2,461,411
	Special Fund Appropriation	\$	279,813
306	General Nursing Services		
	General Fund Appropriation	\$	1,007,207
	Federal Fund Appropriation	\$	125,054
	State Fund Appropriation	\$	8,595,343
307	Mental Health Services		
	General Fund Appropriation	\$	1,799,359
	Federal Fund Appropriation	\$	1,484,026
	State Fund Appropriation	\$	1,793,378
308	Maternal and Child Health		
	General Fund Appropriation	\$	995,501
	Federal Fund Appropriation	\$	15,052,017
	State Fund Appropriation	\$	383,565
	Special Fund Appropriation	\$	1,070,170
309	Child and Adult Care - Food		
	Federal Fund Appropriation	\$	6,382,405
310	School Health Services		
	General Fund Appropriation	\$	5,011,169
	Federal Fund Appropriation	\$	1,071,669
	State Fund Appropriation	\$	534,905
	Special Fund Appropriation	\$	5,820,694
311	Health Services for the Aging		
	General Fund Appropriation	\$	127,194
	Federal Fund Appropriation	\$	29,736,775
	State Fund Appropriation	\$	906,581
	Special Fund Appropriation	\$	365,803
Housing and Community Development			
119	Neighborhood Service Centers		
	General Fund Appropriation	\$	5,000
	Federal Fund Appropriation	\$	1,557,918
	State Fund Appropriation	\$	2,826,663
177	Administrative Direction and Control		
	General Fund Appropriation	\$	3,011,770
	Federal Fund Appropriation	\$	995,464
	State Fund Appropriation	\$	2,253
	Special Fund Appropriation	\$	1,470,072

184	Energy Assistance and Emergency Food State Fund Appropriation	\$	1,934,500
260	Construction and Building Inspection General Fund Appropriation	\$	3,153,649
	Federal Fund Appropriation	\$	582,236
	Special Fund Appropriation	\$	1,150,000
582	Finance and Development General Fund Appropriation	\$	127,034
	Federal Fund Appropriation	\$	4,279,352
	Special Fund Appropriation	\$	230,000
583	Neighborhood Services General Fund Appropriation	\$	3,300,266
	Federal Fund Appropriation	\$	7,993,192
	State Fund Appropriation	\$	55,017
	Special Fund Appropriation	\$	993,678
585	Baltimore Development Corporation General Fund Appropriation	\$	2,707,660
	Federal Fund Appropriation	\$	400,000
	Special Fund Appropriation	\$	410,000
592	Special Housing Grants General Fund Appropriation	\$	350,000
593	Community Support Projects General Fund Appropriation	\$	10,850
	Federal Fund Appropriation	\$	5,447,698
597	Weatherization General Fund Appropriation	\$	65,085
	State Fund Appropriation	\$	1,165,780
604	Child Care Centers Federal Fund Appropriation	\$	1,460,413
605	Head Start Federal Fund Appropriation	\$	28,701,577
	State Fund Appropriation	\$	1,840,733
606	Arts and Education State Fund Appropriation	\$	1,490,930
Human Resources			
160	Personnel Administration General Fund Appropriation	\$	2,261,059
Law			
175	Legal Services General Fund Appropriation	\$	2,910,150

Legislative Reference

106	Legislative Reference Services		
	General Fund Appropriation	\$	519,264
	Special Fund Appropriation	\$	11,400
107	Archives and Records Management		
	General Fund Appropriation	\$	256,840

Liquor License Board

250	Liquor Control		
	General Fund Appropriation	\$	1,780,488

Mayorality

125	Executive Direction and Control		
	General Fund Appropriation	\$	2,523,533
127	Office of State Relations		
	General Fund Appropriation	\$	517,778
353	Office of Community Projects		
	General Fund Appropriation	\$	201,891
	Special Fund Appropriation	\$	140,000

M-R: Art and Culture

493	Art and Culture Grants		
	General Fund Appropriation	\$	6,061,486

M-R: Baltimore City Public Schools

352	Baltimore City Public Schools		
	General Fund Appropriation	\$	204,113,545
	Motor Vehicle Appropriation	\$	3,654,000

M-R: Cable and Communications

572	Cable and Communications Coordination		
	General Fund Appropriation	\$	389,099
	Special Fund Appropriation	\$	1,632,505

M-R: Civic Promotion

589	Office of Promotion and the Arts		
	General Fund Appropriation	\$	1,910,786
590	Civic Promotion		
	General Fund Appropriation	\$	7,727,457

M-R: Commission on Aging and Retirement Education

325	Senior Services		
	General Fund Appropriation	\$	875,436
	Motor Vehicle Appropriation	\$	325,000
	Federal Fund Appropriation	\$	4,645,937
	State Fund Appropriation	\$	3,695,224
	Special Fund Appropriation	\$	764,298

M-R: Conditional Purchase Agreements

129	Conditional Purchase Agreement Payments		
	General Fund Appropriation	\$	19,435,099
	Loan and Guarantee Fund Appropriation	\$	606,578
	Special Fund Appropriation	\$	451

M-R: Contingent Fund

121	Contingent Fund		
	General Fund Appropriation	\$	750,000

M-R: Convention Complex

531	Convention Center Operations		
	General Fund Appropriation	\$	11,845,262
	Convention Center Bond Fund Appropriation	\$	4,700,000
	State Fund Appropriation	\$	3,600,000
540	1st Mariner Arena Operations		
	General Fund Appropriation	\$	450,000

M-R: Debt Service

123	General Debt Service		
	General Fund Appropriation	\$	71,968,386
	Motor Vehicle Appropriation	\$	7,559,995

M-R: Educational Grants

446	Educational Grants		
	General Fund Appropriation	\$	1,180,986

M-R: Employees' Retirement Contribution

355	Employees' Retirement Contribution		
	General Fund Appropriation	\$	56,794,605
	Motor Vehicle Appropriation	\$	5,442,000

M-R: Environmental Control Board

117	Environmental Control Board		
	General Fund Appropriation	\$	365,955

M-R: Health and Welfare Grants

385	Health and Welfare Grants		
	General Fund Appropriation	\$	81,968

M-R: Miscellaneous General Expenses

122	Miscellaneous General Expenses		
	General Fund Appropriation	\$	9,903,106
	Motor Vehicle Appropriation	\$	1,236,850

M-R: Office of Children, Youth and Families

350	Children, Youth and Families		
	General Fund Appropriation	\$	581,000
	Federal Fund Appropriation	\$	712,900
	State Fund Appropriation	\$	303,187

M-R: Office of CitiStat Operations

347	CitiStat Operations		
	General Fund Appropriation	\$	447,000

M-R: Office of Employment Development

630	Administration (Title I)		
	General Fund Appropriation	\$	214,323
	Federal Fund Appropriation	\$	17,136
631	Job Training Partnership (Titles II/III)		
	Federal Fund Appropriation	\$	11,909,258
633	Youth Initiatives		
	Federal Fund Appropriation	\$	2,000,000
639	Special Services		
	General Fund Appropriation	\$	1,633,528
	Federal Fund Appropriation	\$	3,542,685
	State Fund Appropriation	\$	449,743
	Special Fund Appropriation	\$	98,677

M-R: Office of Information Technology

147	Information Technology Services		
	General Fund Appropriation	\$	2,593,067
151	Information Technology Support Services		
	General Fund Appropriation	\$	8,050,722

M-R: Office of Neighborhoods

354	Neighborhoods		
	General Fund Appropriation	\$	645,000

M-R: Office of the Labor Commissioner

128	Labor Relations		
	General Fund Appropriation	\$	469,939

M-R: Retirees' Benefits

351	Retirees' Benefits		
	General Fund Appropriation	\$	73,186,100
	Motor Vehicle Appropriation	\$	11,575,000

M-R: Self-Insurance Fund

126	Contribution to Self-Insurance Fund		
	General Fund Appropriation	\$	9,225,082
	Motor Vehicle Appropriation	\$	2,894,554

M-R: TIF Debt Service

124	TIF Debt Service		
	General Fund Appropriation	\$	140,000

Municipal and Zoning Appeals

185	Zoning, Tax and Other Appeals		
	General Fund Appropriation	\$	371,000

Planning

187	City Planning		
	General Fund Appropriation	\$	1,267,000
	Motor Vehicle Appropriation	\$	725,006
	Federal Fund Appropriation	\$	1,182,596
	State Fund Appropriation	\$	200,000

Police

200	Administrative Direction and Control		
	General Fund Appropriation	\$	27,969,257
	Motor Vehicle Appropriation	\$	311,957
201	Field Operations Bureau		
	General Fund Appropriation	\$	178,100,313
	Federal Fund Appropriation	\$	10,303,209
	State Fund Appropriation	\$	6,619,792
202	Investigations		
	General Fund Appropriation	\$	32,576,311
	Federal Fund Appropriation	\$	79,660
	Special Fund Appropriation	\$	1,035,000
203	Traffic		
	Motor Vehicle Appropriation	\$	11,077,000
	State Fund Appropriation	\$	18,000
204	Services Bureau		
	General Fund Appropriation	\$	27,050,390
	Special Fund Appropriation	\$	4,729,240
205	Non-actuarial Retirement Benefits		
	General Fund Appropriation	\$	2,957,804
207	Research and Development		
	General Fund Appropriation	\$	4,835,203
224	Office of Criminal Justice		
	General Fund Appropriation	\$	454,441
	Federal Fund Appropriation	\$	9,907,786
	Special Fund Appropriation	\$	275,000

Public Works

190	Departmental Administration		
	General Fund Appropriation	\$	981,018
	Motor Vehicle Appropriation	\$	2,494,583
191	Permits		
	General Fund Appropriation	\$	509,577
	Motor Vehicle Appropriation	\$	1,818,402
193	Facilities Management		
	General Fund Appropriation	\$	19,243,590

198	Engineering/Construction Management		
	General Fund Appropriation	\$	132,533
	Motor Vehicle Appropriation	\$	181,598
513	Solid Waste Special Services		
	General Fund Appropriation	\$	2,818,000
	Motor Vehicle Appropriation	\$	26,033,661
515	Solid Waste Collection		
	General Fund Appropriation	\$	16,598,735
	Motor Vehicle Appropriation	\$	1,876,141
	Special Fund Appropriation	\$	500,000
516	Solid Waste Environmental Services		
	General Fund Appropriation	\$	21,828,969
518	Storm Water Maintenance		
	Motor Vehicle Appropriation	\$	4,565,315
544	Sanitary Maintenance		
	Waste Water Utility Fund Appropriation	\$	16,269,448
546	Water Maintenance		
	Water Utility Fund Appropriation	\$	23,266,499
547	Meter Operations		
	Water Utility Fund Appropriation	\$	3,435,769
550	Waste Water Facilities		
	Waste Water Utility Fund Appropriation	\$	84,253,813
552	Water Facilities		
	Water Utility Fund Appropriation	\$	34,656,508
553	Water Engineering		
	Water Utility Fund Appropriation	\$	15,580,012
554	Waste Water Engineering		
	Waste Water Utility Fund Appropriation	\$	20,948,124
555	Environmental Services		
	Waste Water Utility Fund Appropriation	\$	3,332,720
	Water Utility Fund Appropriation	\$	499,494
560	Facilities Engineering		
	Waste Water Utility Fund Appropriation	\$	356,895
	Water Utility Fund Appropriation	\$	188,804
561	Utility Billing		
	Water Utility Fund Appropriation	\$	8,822,914

565	Utility Debt Service		
	Waste Water Utility Fund Appropriation	\$	20,414,000
	Water Utility Fund Appropriation	\$	18,431,000
Recreation and Parks			
471	Administrative Direction and Control		
	General Fund Appropriation	\$	3,265,592
	Special Fund Appropriation	\$	9,000
473	Municipal Concerts and Other Musical Events		
	General Fund Appropriation	\$	36,958
478	General Park Services		
	General Fund Appropriation	\$	9,503,284
	Motor Vehicle Appropriation	\$	400,000
	State Fund Appropriation	\$	43,775
479	Special Facilities		
	General Fund Appropriation	\$	931,168
	Special Fund Appropriation	\$	146,400
480	Regular Recreational Services		
	General Fund Appropriation	\$	10,152,680
	State Fund Appropriation	\$	129,000
	Special Fund Appropriation	\$	433,447
482	Supplementary Recreational Services		
	Special Fund Appropriation	\$	307,262
505	Park and Street Trees		
	Motor Vehicle Appropriation	\$	3,780,616
Sheriff			
118	Sheriff Services		
	General Fund Appropriation	\$	10,286,804
	Federal Fund Appropriation	\$	66,900
Social Services			
365	Public Assistance		
	General Fund Appropriation	\$	230,000
State's Attorney			
115	Prosecution of Criminals		
	General Fund Appropriation	\$	22,324,621
	Federal Fund Appropriation	\$	1,680,006
	State Fund Appropriation	\$	3,779,916
	Special Fund Appropriation	\$	50,000
Transportation			
195	Towing		
	General Fund Appropriation	\$	402,504
	Motor Vehicle Appropriation	\$	8,739,482
	State Fund Appropriation	\$	25,000

230	Administration		
	General Fund Appropriation	\$	153,388
	Motor Vehicle Appropriation	\$	7,400,132
	Federal Fund Appropriation	\$	375,000
	State Fund Appropriation	\$	134,389
231	Traffic Engineering		
	Motor Vehicle Appropriation	\$	6,490,602
232	Parking		
	Parking Management Fund Appropriation	\$	4,972,485
233	Signs and Markings		
	Motor Vehicle Appropriation	\$	8,988,816
	State Fund Appropriation	\$	6,000
235	Parking Enforcement		
	Parking Management Fund Appropriation	\$	6,331,515
239	Traffic Safety		
	Motor Vehicle Appropriation	\$	2,498,276
500	Street Lighting		
	Motor Vehicle Appropriation	\$	19,069,886
501	Highway Maintenance		
	Motor Vehicle Appropriation	\$	28,493,960
503	Engineering and Construction		
	General Fund Appropriation	\$	65,496
	Motor Vehicle Appropriation	\$	1,491,168
548	Conduits		
	Conduit Management Fund Appropriation	\$	7,199,000
580	Parking Enterprise Facilities		
	Parking Enterprise Fund Appropriation	\$	27,321,000
Wage Commission			
165	Wage Enforcement		
	General Fund Appropriation	\$	461,000
War Memorial Commission			
487	Operation of War Memorial Building		
	General Fund Appropriation	\$	334,000

Internal Service Fund Authorization

Comptroller, Department of

133 Municipal Telephone Exchange

An internal service fund is hereby authorized to provide for operation of a Municipal Telephone Exchange, the costs of which are to be recovered from using agencies.

136 Municipal Post Office

An internal service fund is hereby authorized to provide for operation of a Municipal Post Office, the costs of which are to be recovered from using agencies.

Conditional Purchase Agreements, Mayoralty-Related**129 Conditional Purchase Agreements Payments**

An internal service fund is hereby authorized to provide for principal and interest payments related to the improvements made to the Municipal Telephone Exchange, the costs of which are to be recovered from using agencies

Finance, Department of**144 Purchasing**

An internal service fund is hereby authorized to provide for operation of a Municipal Reproduction and Printing Service, the costs of which are to be recovered from using agencies.

153 Risk Management Operations

An internal service fund is hereby authorized to provide for a Self-Insurance Program for administration of the Employee Health Clinic and Employee Safety and Workers' Compensation Claims Processing, the costs of which are to be recovered from the Self-Insurance Fund.

Human Resources, Department of**160 Personnel Administration**

An internal service fund is hereby authorized to provide for the operation of the Unemployment Insurance function, the costs of which are to be recovered from contributions from various fund sources.

161 Vision Care Program

An internal service fund is hereby authorized to provide for the operation of an Employee Vision Care Program, the costs of which are to be recovered from contributions from various fund sources.

Law, Department of**175 Legal Services**

An internal service fund is hereby authorized to provide for a Self-Insurance Program covering Automotive Equipment, Police Animal Liability, Employee Liability and the administration of Workers' Compensation claims, the costs of which are to be recovered from the Self-Insurance Fund.

Public Works, Department of**189 Fleet Management**

An internal service fund is hereby authorized to provide for operation of a Central Automotive and Mechanical Repair Service, the costs of which are to be recovered from using agencies.

B. Capital Budget

SECTION 2. AND BE IT FURTHER ORDAINED, That the Capital Improvement Appropriations herein made are for the following Construction Projects provided that the appropriations will be placed in Construction Reserve accounts at the beginning of the fiscal year and transferred by the Board of Estimates to Construction Accounts as project funds are needed.

Baltimore Development Corporation**601-115 West Side Initiative**

General Obligation Bond Appropriation	\$	1,500,000
Other State Fund Appropriation	\$	4,000,000

601-860 Industrial and Commercial Financing

General Obligation Bond Appropriation	\$	300,000
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601-880 Open/Public Space Improvements

General Obligation Bond Appropriation	\$	1,000,000
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601-982 Commercial Revitalization Programs

General Obligation Bond Appropriation	\$	1,250,000
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601-983 Arts & Entertainment Initiatives

General Obligation Bond Appropriation	\$	1,125,000
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607-004 Preston Gardens Infrastructure Improvements

General Obligation Bond Appropriation	\$	250,000
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607-006 Downtown Facade Improvement Program

General Obligation Bond Appropriation	\$	250,000
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Baltimore City Public Schools**418-019 Lexington Terrace Elementary / Middle School #19**

General Obligation Bond Deappropriation	\$	(2,085,000)
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Department of Housing and Community Development**588-979 East Baltimore Redevelopment**

General Obligation Bond Appropriation	\$	3,000,000
Other State Fund Appropriation	\$	4,000,000

588-981 Acquisition/Relocation Fund

General Obligation Bond Appropriation	\$	2,150,000
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588-983 Demolition Program

General Obligation Bond Appropriation	\$	3,070,000
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588-984 Homeownership Incentive Program

General Obligation Bond Appropriation	\$	2,450,000
Community Development Block Grant Appropriation	\$	300,000

588-985 Housing Development

General Obligation Bond Appropriation	\$	2,625,000
Community Development Block Grant Appropriation	\$	40,000
Other Federal Fund Appropriation	\$	7,500,000

588-986 Housing Repair Assistance Programs

General Obligation Bond Appropriation	\$	350,000
Community Development Block Grant Appropriation	\$	1,600,000
Other Federal Fund Appropriation	\$	100,000

588-987 Housing and Services - Special Needs Population

General Obligation Bond Appropriation	\$	950,000
Community Development Block Grant Appropriation	\$	200,000

588-989 Loan Repayment

Community Development Block Grant Appropriation	\$	4,710,000
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588-991 Public Housing Redevelopment

General Obligation Bond Appropriation	\$	1,050,000
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588-994 Special Capital Projects

General Obligation Bond Appropriation	\$	1,223,000
Community Development Block Grant Appropriation	\$	1,314,000
Other Federal Fund Appropriation	\$	15,500,000
State Race Track Grant Appropriation	\$	500,000
Sale of City Real Property Appropriation	\$	2,800,000
Urban Development Action Grant Repayment Appropriation	\$	500,000

588-996 Stabilization Program

General Obligation Bond Appropriation	\$	2,730,000
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Enoch Pratt Free Library**457-038 Southeast Anchor Library**

General Obligation Bond Appropriation	\$	2,000,000
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457-200 Library Facilities - Modernization

General Obligation Bond Appropriation	\$	1,300,000
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457-225 Roland Park Branch Library Addition

Other Fund Appropriation	\$	2,000,000
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Mayorality**127-030 City Council Information Technology Project**

General Fund Appropriation	\$	100,000
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127-067 Eleanor E. Hooper Adult Day Care Center

General Fund Appropriation	\$	60,000
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127-138 Maryland Science Center - Expansion

General Obligation Bond Appropriation	\$	400,000
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127-152 Baltimore City Heritage Area Projects

General Fund Appropriation	\$	200,000
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127-401 B&O Railroad Museum - CarShops Restoration

General Obligation Bond Appropriation	\$	500,000
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127-402 Health Care for the Homeless - New Facility

General Obligation Bond Appropriation	\$	650,000
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127-910 Forest Park Senior Center

General Fund Appropriation	\$	240,000
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127-980 Neighborhoods First Program

General Obligation Bond Appropriation	\$	152,000
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488-026 Multiple Galleries Renovation

General Obligation Bond Appropriation	\$	500,000
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523-033 Cross Street Market Improvements

Waste Water Utility Fund Deappropriation	\$	(500,000)
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523-034 Cross Street Market Improvements

Water Utility Fund Deappropriation	\$	(76,000)
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529-057 Aquarium - Pier 3 HVAC System Infrastructure Upgrade

General Obligation Bond Appropriation	\$	750,000
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Department of Planning**188-009 Planning Department Initiatives**

General Fund Appropriation	\$	250,000
General Obligation Bond Appropriation	\$	700,000

Department of Public Works**197-144 Abel Wolman Basement Structural Repair**

General Obligation Bond Appropriation	\$	160,000
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197-145 Peoples Court Window Replacement

General Obligation Bond Appropriation	\$	500,000
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197-158 City Hall Abel Wolman Building Pedestrian Tunnel

City Motor Vehicle Fund Appropriation	\$	600,000
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197-189 Central Garage Relocation New Facilities Const. (Biddle Street)

General Obligation Bond Appropriation	\$	1,000,000
City Motor Vehicle Fund Appropriation	\$	500,000

197-204 Wahl Building Roof Replacement

General Obligation Bond Appropriation	\$	180,000
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197-205 Govans Multi - Purpose Center Roof Replacement

General Obligation Bond Appropriation	\$	260,000
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197-211 Courthouse East Slate Roof Repair	
General Obligation Bond Appropriation	\$ 230,000
197-212 City School System - Systemic Program	
General Obligation Bond Appropriation	\$ 4,867,000
197-312 Tench Tilghman Elementary School #13	
General Obligation Bond Appropriation	\$ 500,000
197-313 School Construction - Environmental Abatement	
General Obligation Bond Appropriation	\$ 500,000
197-314 Coldstream Park Elementary-Middle #031	
General Obligation Bond Appropriation	\$ 2,085,000
197-315 Liberty Elementary School #64	
General Obligation Bond Appropriation	\$ 850,000
197-316 Franklin Elementary School #95	
General Obligation Bond Appropriation	\$ 1,375,000
197-317 Samuel Coleridge Taylor Elementary #122	
General Obligation Bond Appropriation	\$ 1,700,000
197-318 Pimlico Middle School #222	
General Obligation Bond Appropriation	\$ 1,633,000
197-319 Violetville Elementary School #226	
General Obligation Bond Appropriation	\$ 1,000,000
197-320 Highlandtown Elementary School #237	
General Obligation Bond Appropriation	\$ 2,000,000
197-321 Northwestern High School #401	
General Obligation Bond Appropriation	\$ 2,575,000
197-512 Courthouse East Front Door Replacement	
General Obligation Bond Appropriation	\$ 290,000
197-515 Government House Window Replacement	
General Obligation Bond Appropriation	\$ 400,000
197-611 City Hall New Fire Alarm System	
General Obligation Bond Appropriation	\$ 165,000
197-612 Benton Building New Fire Alarm System	
General Obligation Bond Appropriation	\$ 130,000
197-613 Abel Wolman and Guilford Buildings New Fire Alarm System	
General Obligation Bond Appropriation	\$ 185,000

197-701 Procurement of 800 MHz Radios		
General Fund Appropriation	\$	610,000
197-710 Northwood Baseball Little League Fields Renovations		
General Fund Appropriation	\$	200,000
Other State Fund Appropriation	\$	200,000
Other Fund Appropriation	\$	800,000
197-826 Fire Station Roof and Window Improvements		
General Obligation Bond Appropriation	\$	500,000
197-830 68th Street Dump Site Environmental Remediation		
General Fund Appropriation	\$	250,000
City Motor Vehicle Fund Appropriation	\$	250,000
197-832 State's Attorney's Office		
General Obligation Bond Appropriation	\$	500,000
520-099 Small Storm Drain and Inlet Repairs		
City Motor Vehicle Fund Appropriation	\$	500,000
520-400 Pulaski Highway Storm Water Improvements		
City Motor Vehicle Fund Appropriation	\$	750,000
520-439 On Call Storm Drain Design/Engin. Service		
City Motor Vehicle Fund Appropriation	\$	400,000
520-707 Glen Edwards Run Box Culvert		
City Motor Vehicle Fund Appropriation	\$	400,000
520-711 Emergency Flood Mitigation		
City Motor Vehicle Fund Appropriation	\$	150,000
520-712 Storm Drain Improvements at Auchentoroly Terrace, Spellman Rd & Bedford Pl		
City Motor Vehicle Fund Appropriation	\$	300,000
522-634 Critical Area Storm Water Offset Fund		
Other Fund Deappropriation	\$	(607,000)
525-311 Moore's Run Wetlands		
City Motor Vehicle Fund Appropriation	\$	850,000
525-351 East Stony Run Open Channel Improvements		
City Motor Vehicle Fund Appropriation	\$	983,000
525-449 Jones Falls Debris Collector		
City Motor Vehicle Fund Appropriation	\$	200,000
525-514 Race Street Environmental Remediation		
City Motor Vehicle Fund Appropriation	\$	600,000

525-647 Alluvian Street Trash Interceptor		
City Motor Vehicle Fund Appropriation	\$	125,000
525-993 Watershed 263 Phase 1 Bio-retention		
Other State Fund Appropriation	\$	70,000
525-998 Western Run Stream Restoration - Phase I		
City Motor Vehicle Fund Appropriation	\$	200,000
551-144 Mapping Program		
Waste Water Utility Fund Appropriation	\$	450,000
551-233 Wastewater Collection System - Annual Improvements		
Waste Water Revenue Bond Appropriation	\$	1,000,000
County Grant Appropriation	\$	1,000,000
551-401 Sewer Replacement Projects		
Waste Water Revenue Bond Appropriation	\$	2,000,000
Waste Water Utility Fund Appropriation	\$	2,000,000
551-403 Small Sewer Extensions and Improvements		
Waste Water Revenue Bond Appropriation	\$	750,000
Waste Water Utility Fund Appropriation	\$	1,250,000
551-404 Infiltration/Inflow Correction Program		
Waste Water Revenue Bond Appropriation	\$	3,375,000
Waste Water Utility Fund Appropriation	\$	125,000
551-410 Improvements to Herring Run Interceptor- Phase 1 SC- 836		
Waste Water Revenue Bond Appropriation	\$	1,100,000
551-533 Annual Facilities Improvements		
Waste Water Revenue Bond Appropriation	\$	1,000,000
County Grant Appropriation	\$	1,000,000
551-601 Greenmount Ave Interceptor and Pumping Station		
Waste Water Revenue Bond Appropriation	\$	17,700,000
551-604 Stony Run Interceptor and Pumping Station		
Waste Water Revenue Bond Appropriation	\$	38,209,000
County Grant Appropriation	\$	1,811,000
551-605 Jones Falls Pumping Station Capacity Upgrade		
Waste Water Revenue Bond Appropriation	\$	1,183,000
County Grant Appropriation	\$	2,067,000
551-608 New Jones Falls Force Main/Pressure Sewer		
Waste Water Revenue Bond Appropriation	\$	4,841,000
County Grant Appropriation	\$	21,079,000

551-609 Southwest Diversion Pressure Sewer Improvements

Waste Water Revenue Bond Appropriation	\$	980,000
County Grant Appropriation	\$	1,520,000

551-618 Sewer System Evaluation Program - Herring Run Sewershed

Waste Water Revenue Bond Appropriation	\$	18,240,000
County Grant Appropriation	\$	960,000

551-624 Sewer System Rehabilitation Program - Herring Run Sewershed

Waste Water Revenue Bond Appropriation	\$	2,137,000
County Grant Appropriation	\$	113,000

551-626 Sewer System Rehabilitation Program - Jones Falls Sewershed

Waste Water Revenue Bond Appropriation	\$	1,300,000
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551-627 Wet Weather Program

Waste Water Revenue Bond Appropriation	\$	1,800,000
County Grant Appropriation	\$	200,000

551-630 Moore's Run Interceptor - Lower Section

Waste Water Revenue Bond Appropriation	\$	22,600,000
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551-752 McComas St Pump Station Force Main Improvements

Waste Water Revenue Bond Appropriation	\$	200,000
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551-753 Locust St Pump Station Force Main Improvements

Waste Water Revenue Bond Appropriation	\$	200,000
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557-031 Water Distribution System - Improvements

Water Revenue Bond Appropriation	\$	2,000,000
County Grant Appropriation	\$	2,000,000

557-070 Watershed Road and Bridge Maintenance

Water Revenue Bond Appropriation	\$	2,440,000
County Grant Appropriation	\$	1,560,000

557-099 Mapping Program - Water Supply System

Water Utility Fund Appropriation	\$	450,000
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557-100 Water Infrastructure Rehabilitation

Water Revenue Bond Appropriation	\$	10,000,000
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557-101 Water Mains - Installation

Water Utility Fund Appropriation	\$	76,000
Water Revenue Bond Appropriation	\$	2,000,000
County Grant Appropriation	\$	1,000,000

557-130 Water System Cathodic Protection

Water Revenue Bond Appropriation	\$	334,000
County Grant Appropriation	\$	166,000

557-133 Meter Replacement Program

Water Utility Fund Appropriation	\$	2,500,000
County Grant Appropriation	\$	2,500,000

557-300 Water Facilities - Annual Improvements

Water Revenue Bond Appropriation	\$	1,525,000
County Grant Appropriation	\$	975,000

557-400 Valve and Hydrant Replacement - Annual

Water Utility Fund Appropriation	\$	2,800,000
Water Revenue Bond Appropriation	\$	200,000
County Grant Appropriation	\$	3,000,000

557-635 Prettyboy Dam Improvements WC-1137

Water Revenue Bond Appropriation	\$	2,440,000
County Grant Appropriation	\$	1,560,000

557-638 Water Audit

Water Revenue Bond Appropriation	\$	305,000
County Grant Appropriation	\$	195,000

557-689 Urgent Needs Water Engineering Services

Water Revenue Bond Appropriation	\$	315,000
County Grant Appropriation	\$	185,000

557-691 Raw Water Conduit Dewatering Facility Improvements WC-1159

Water Revenue Bond Appropriation	\$	305,000
County Grant Appropriation	\$	195,000

557-696 Chlorine Handling Safety Improvements WC-1150

Water Revenue Bond Appropriation	\$	6,500,000
County Grant Appropriation	\$	3,500,000

557-709 Finished Water Reservoir Improvements

Water Revenue Bond Appropriation	\$	370,000
County Grant Appropriation	\$	630,000

557-727 Deer Creek Pumping Station Improvements

Water Revenue Bond Appropriation	\$	610,000
County Grant Appropriation	\$	390,000

557-732 Monitoring Water Transmission Mains

Water Utility Fund Appropriation	\$	250,000
County Grant Appropriation	\$	250,000

557-913 Pikesville Reservoir

Water Revenue Bond Appropriation	\$	12,000,000
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557-915 Maintenance Buildings at Prettyboy Dam

Water Revenue Bond Appropriation	\$	488,000
County Grant Appropriation	\$	312,000

Department of Recreation and Parks

474-624 Gateway Landscaping Improvements - Mt. Vernon Square		
City Motor Vehicle Fund Appropriation	\$	100,000
474-658 Patterson Park Swimming Pool Renovation		
General Obligation Bond Appropriation	\$	50,000
State Open Space Matching Grant Appropriation	\$	700,000
474-668 Park Perimeter Improvements		
General Obligation Bond Appropriation	\$	1,275,000
State Open Space Matching Grant Appropriation	\$	500,000
474-670 Druid Hill Park: Renovation of the Three Sisters Area		
General Obligation Bond Appropriation	\$	100,000
474-690 Street Tree Operations FY06		
City Motor Vehicle Fund Appropriation	\$	200,000
474-691 Western Run Greenway: Study/Design		
City Motor Vehicle Fund Appropriation	\$	100,000
474-692 Clifton & Patterson Parks: Interior Roadway Lights		
City Motor Vehicle Fund Appropriation	\$	100,000
State Open Space Matching Grant Appropriation	\$	300,000
474-693 Gwynns Falls Park: Trail Enhancement & Pavilion Lighting		
City Motor Vehicle Fund Appropriation	\$	100,000
474-695 Lyndhurst Recreation Center Gymnasium - Phase I		
General Obligation Bond Appropriation	\$	10,000
474-696 Baltimore Playlot Program FY06		
General Obligation Bond Appropriation	\$	400,000
State Open Space Matching Grant Appropriation	\$	784,000
474-697 Athletic Court Renovation FY06		
General Obligation Bond Appropriation	\$	120,000
474-698 Recreation Facility Renovation FY06		
General Obligation Bond Appropriation	\$	175,000
State Open Space Matching Grant Appropriation	\$	375,000
474-699 Cylburn Arboretum Master Plan Implementation - Phase I		
General Obligation Bond Appropriation	\$	410,000
State Open Space Matching Grant Appropriation	\$	600,000
474-700 Maryland Community Parks and Playground Program		
Other State Fund Appropriation	\$	600,000

**474-701 Park Master Plans: Clifton, Farring Baybrook, Middle Branch,
Arnold Sumpter**

General Obligation Bond Appropriation	\$	135,000
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474-702 Druid Hill Park: Roadway/ADA Improvements

General Obligation Bond Appropriation	\$	100,000
State Open Space Matching Grant Appropriation	\$	300,000

474-703 Jones Falls Trail Phase IV

City Motor Vehicle Fund Appropriation	\$	200,000
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474-711 Recreation & Parks Facilities-Miscellaneous Improvements

General Fund Appropriation	\$	250,000
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474-712 Critical Area Storm Water Offset Fund

Other Fund Appropriation	\$	607,000
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Department of Transportation**504-100 Footway Reconstruction**

City Motor Vehicle Fund Appropriation	\$	1,000,000
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504-200 Alley Reconstruction

City Motor Vehicle Fund Appropriation	\$	1,500,000
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506-523 Fulton Avenue Median Streetscape (Edmondson to Reisterstown)

City Motor Vehicle Fund Appropriation	\$	3,000,000
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506-528 Park Heights Ave. (Druid Hill to Garrison) - Federal Resurf. NW

City Motor Vehicle Fund Appropriation	\$	400,000
Federal Highway Transportation Fund Appropriation	\$	1,600,000

507-426 Eastern Ave Underpass Below RR bridges - Repair and Painting

City Motor Vehicle Fund Appropriation	\$	2,500,000
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508-035 Calvert St. Reconstruction (Lombard to Baltimore)

City Motor Vehicle Fund Appropriation	\$	200,000
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508-227 Cherry Hill Road Enhancements

City Motor Vehicle Fund Appropriation	\$	400,000
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508-280 Wilkens Avenue Gateway Reconstruction

City Motor Vehicle Fund Appropriation	\$	450,000
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508-363 Sinclair Lane Over CSX

City Motor Vehicle Fund Appropriation	\$	500,000
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508-407 Andre St. Reconstruction (Fort to McThomas)

City Motor Vehicle Fund Appropriation	\$	1,000,000
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508-453 Dundalk Ave. Streetscape (Eastern to City Line)

City Motor Vehicle Fund Appropriation	\$	500,000
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508-454 Reisterstown Rd. Streetscape (Northern Pkwy to City Line)		
City Motor Vehicle Fund Appropriation	\$	600,000
508-455 Pedestrian Crossing Improvements		
City Motor Vehicle Fund Appropriation	\$	100,000
508-459 Revision of Street Configurations		
City Motor Vehicle Fund Appropriation	\$	500,000
508-465 Curb Repair Job Order Contract (JOC)		
City Motor Vehicle Fund Appropriation	\$	280,000
508-496 Slab Repairs		
City Motor Vehicle Fund Appropriation	\$	750,000
508-506 Constructability Review		
City Motor Vehicle Fund Appropriation	\$	500,000
508-508 Material Testing		
City Motor Vehicle Fund Appropriation	\$	250,000
508-519 Construction Management Services		
City Motor Vehicle Fund Appropriation	\$	400,000
508-520 On - Call Highway Services		
City Motor Vehicle Fund Appropriation	\$	500,000
508-744 Westport Yard Improvements		
City Motor Vehicle Fund Appropriation	\$	900,000
509-185 Central Avenue Reconstruction (Monument to Aliceanna)		
City Motor Vehicle Fund Appropriation	\$	3,000,000
Federal Highway Transportation Fund Appropriation	\$	8,000,000
509-332 Pennington Avenue Drawbridge		
City Motor Vehicle Fund Appropriation	\$	250,000
Federal Highway Transportation Fund Appropriation	\$	1,000,000
509-674 Chesapeake Avenue - Reconstruction		
City Motor Vehicle Fund Appropriation	\$	400,000
509-834 Forest Park Avenue Bridge		
City Motor Vehicle Fund Appropriation	\$	450,000
Federal Highway Transportation Fund Appropriation	\$	1,800,000
510-033 Pedestrian Lighting - SNAP and Historic Neighborhoods		
City Motor Vehicle Fund Appropriation	\$	1,500,000
512-034 Signal Timing Optimization Citywide		
City Motor Vehicle Fund Appropriation	\$	200,000
Federal Highway Transportation Fund Appropriation	\$	800,000

512-035 Traffic Signal System Integration

City Motor Vehicle Fund Appropriation	\$	830,000
Federal Highway Transportation Fund Appropriation	\$	3,323,000

512-038 Traffic Management Center

City Motor Vehicle Fund Appropriation	\$	210,000
Federal Highway Transportation Fund Appropriation	\$	840,000

512-047 Traffic Signal Replacement - Project Management & Inspection

City Motor Vehicle Fund Appropriation	\$	50,000
Federal Highway Transportation Fund Appropriation	\$	200,000

512-053 Traffic Surveillance Camera Expansion

City Motor Vehicle Fund Appropriation	\$	60,000
Federal Highway Transportation Fund Appropriation	\$	272,000

514-101 Frederick Avenue Gateway Resurfacing

City Motor Vehicle Fund Appropriation	\$	1,550,000
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514-213 Resurfacing Highways Northeast - Sector 1

City Motor Vehicle Fund Appropriation	\$	456,000
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514-214 Resurfacing Highways Northwest - Sector 2

City Motor Vehicle Fund Appropriation	\$	456,000
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514-215 Resurfacing Highways Southwest - Sector 3

City Motor Vehicle Fund Appropriation	\$	456,000
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514-216 Resurfacing Highways Southeast - Sector 4

City Motor Vehicle Fund Appropriation	\$	456,000
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514-264 Park Heights Ave. Streetscape (Garrison to Northern Pkwy)

City Motor Vehicle Fund Appropriation	\$	500,000
Federal Highway Transportation Fund Appropriation	\$	2,000,000

514-595 Duvall St. Reconstruction (Elsinore to Queen Anne)

City Motor Vehicle Fund Appropriation	\$	1,600,000
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514-703 Erdman Ave. (Sinclair Ln to Pulaski Hwy) Federal Resurf. East

City Motor Vehicle Fund Appropriation	\$	150,000
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514-704 Aisquith St. (20th to Harford Rd) - Federal Resurf. Central East

City Motor Vehicle Fund Appropriation	\$	150,000
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514-705 Harford Rd. (North Ave to Erdman) - Federal Resurf. NE

City Motor Vehicle Fund Appropriation	\$	250,000
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514-706 Caton Avenue (Benson to Frederick)

City Motor Vehicle Fund Appropriation	\$	150,000
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514-707 West Forest Park Ave. (Windsor Mill To City Line) Federal Resurf. NW	
City Motor Vehicle Fund Appropriation	\$ 120,000
514-718 Pratt Street Resurfacing (MLK to President)	
City Motor Vehicle Fund Appropriation	\$ 400,000
514-719 Lombard Street Rehabilitation (MLK to President)	
City Motor Vehicle Fund Appropriation	\$ 400,000
514-724 Cross Country Blvd. Resurfacing (Greenspring to Fallstaff)	
City Motor Vehicle Fund Appropriation	\$ 100,000
514-725 Emergency Resurfacing (JOC)	
City Motor Vehicle Fund Appropriation	\$ 2,000,000
514-726 Pavement Management System	
City Motor Vehicle Fund Appropriation	\$ 100,000
514-727 Paving Equipment	
City Motor Vehicle Fund Appropriation	\$ 1,200,000
527-032 Claremont/Freedom Village Streets and Infrastructure	
City Motor Vehicle Fund Appropriation	\$ 3,728,000
527-108 Canton Industrial Area: Haven Street	
City Motor Vehicle Fund Appropriation	\$ 150,000
527-109 Canton Industrial Area: Newgate Avenue	
City Motor Vehicle Fund Appropriation	\$ 100,000
527-131 Flag House Courts Infrastructure	
City Motor Vehicle Fund Appropriation	\$ 3,419,000
527-139 Pennsylvania Avenue Main Street Improvements	
City Motor Vehicle Fund Appropriation	\$ 90,000
527-166 East Baltimore Redevelopment Area Street Improvements	
City Motor Vehicle Fund Appropriation	\$ 2,000,000
527-168 Pleasant St. Streetscape (Charles to St. Paul)	
City Motor Vehicle Fund Appropriation	\$ 300,000
527-169 Saratoga St. Streetscape (Eutaw to St. Paul)	
City Motor Vehicle Fund Appropriation	\$ 250,000
527-171 St. Paul Place Streetscape Phase II (Saratoga to Centre)	
City Motor Vehicle Fund Appropriation	\$ 1,321,000
527-175 Bicycle Network Strategy	
City Motor Vehicle Fund Appropriation	\$ 100,000
Other Federal Fund Appropriation	\$ 87,000

527-176 Jones Falls/Inner Harbor Trail and Pedestrian Improvements		
City Motor Vehicle Fund Appropriation	\$	200,000
Federal Highway Transportation Fund Appropriation	\$	3,000,000
527-186 Commercial District Street Lights/Landscaping		
City Motor Vehicle Fund Appropriation	\$	200,000
527-200 Star Spangled Heritage Trails - Phase III		
City Motor Vehicle Fund Appropriation	\$	250,000
527-210 Mt. Vernon Place		
City Motor Vehicle Fund Appropriation	\$	1,500,000
527-211 West Shore Park Bus Drop Off		
City Motor Vehicle Fund Appropriation	\$	1,200,000
527-212 Inner Harbor Pedestrian Wayfinding		
City Motor Vehicle Fund Appropriation	\$	450,000
527-221 Light Street - Streetscape (Saratoga to Pratt)		
City Motor Vehicle Fund Appropriation	\$	892,000
527-224 Water Street - Streetscape (Market to Custom House)		
City Motor Vehicle Fund Appropriation	\$	482,000
527-225 Gay Street - Streetscape (Pratt to JFX)		
City Motor Vehicle Fund Appropriation	\$	121,000
527-226 Chase Street - Streetscape (Howard to Biddle)		
City Motor Vehicle Fund Appropriation	\$	73,000
527-227 Read Street - Streetscape (MLK to Fallway)		
City Motor Vehicle Fund Appropriation	\$	135,000
527-230 Cathedral Street - Infrastructure/Utility (Chase to Mt. Royal)		
City Motor Vehicle Fund Appropriation	\$	75,000
527-304 Conkling Street - Infrastructure/Utility (Boston to Toone)		
City Motor Vehicle Fund Appropriation	\$	100,000
527-305 Keswick - Streetscape (28th to 36th)		
City Motor Vehicle Fund Appropriation	\$	140,000
527-306 New Street - Orangeville - Infrastructure/ Utility (Biddle to Chase)		
City Motor Vehicle Fund Appropriation	\$	15,000
527-318 Main Street/Commercial Districts Signage		
City Motor Vehicle Fund Appropriation	\$	25,000
527-493 Uplands Redevelopment Site Infrastructure		
City Motor Vehicle Fund Appropriation	\$	490,000

527-600 SNAP Local Street Resurfacing - Operation Reach Out Southwest	
City Motor Vehicle Fund Appropriation	\$ 500,000
527-601 SNAP Local Street Resurfacing - Greater Northwest Community Coalition	
City Motor Vehicle Fund Appropriation	\$ 650,000
527-602 SNAP Local Street Resurfacing - Northwest Community Planning Forum	
City Motor Vehicle Fund Appropriation	\$ 550,000
527-603 SNAP Local Street Resurfacing - Southeast Neighborhood Development	
City Motor Vehicle Fund Appropriation	\$ 650,000
527-604 SNAP Local Street Resurfacing - York Road	
City Motor Vehicle Fund Appropriation	\$ 650,000
527-605 SNAP-Local Street Resurfacing - Brooklyn/Curtis Bay	
City Motor Vehicle Fund Appropriation	\$ 550,000
527-607 Park Heights Local Street Resurfacing	
City Motor Vehicle Fund Appropriation	\$ 1,000,000
527-608 Small Area Plan Local Street Resurfacing - Sharp Leadenhall	
City Motor Vehicle Fund Appropriation	\$ 340,000
527-609 Small Area Plan Local Street Resurfacing - Coldstream Homestead Montebello	
City Motor Vehicle Fund Appropriation	\$ 250,000
527-610 Small Area Plan Local Street Resurfacing - McElderry Park	
City Motor Vehicle Fund Appropriation	\$ 350,000
527-611 Small Area Plan Local Street Resurfacing - Pen Lucy	
City Motor Vehicle Fund Appropriation	\$ 300,000
527-612 Small Area Plan Local Street Resurfacing - Barclay	
City Motor Vehicle Fund Appropriation	\$ 350,000
527-624 Mt. Auburn Cemetery Streetscape	
City Motor Vehicle Fund Appropriation	\$ 1,000,000
580-015 West Street Parking Garage	
General Fund Appropriation	\$ 1,300,000

SECTION 3. AND BE IT FURTHER ORDAINED, That the amounts set forth in Section 2 above designated deappropriations and enclosed in parentheses shall revert to the surpluses of the respective funds and be available for appropriation by this or subsequent ordinances.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The City reasonably expects to reimburse the expenditures described in Subsection (b) of this Section with the proceeds of one or more obligations (as such term is used in Treas. Reg. Section 1.150-1(b)) to be incurred by the City (or any entity controlled by the City within the meaning of Treas. Reg. Section

1.150-1). The City intends that this Section of this Ordinance of Estimates (as this Ordinance of Estimates may be amended from time to time) shall serve as a declaration of the City's reasonable intention to reimburse expenditures as required by Treas. Reg. Section 1.150-2 and any successor regulation.

(b) The City intends that this declaration will cover all reimbursement of expenditures for capital projects or programs approved in the capital budget contained in this Ordinance of Estimates to the extent that the City has appropriated in this Ordinance of Estimates to pay the cost thereof from one or more obligations to be issued by the City (or any entity controlled by the City within the meaning of Treas. Reg. Section 1.150-1). The term "obligation" (as such term is defined in Treas. Reg. Section 1.150(b) and as used in this Section) includes general obligation bonds and notes, revenue bonds and notes, leases, conditional purchase agreements and other obligations of the City (or any entity controlled by the City within the meaning of Treas. Reg. Section 1.150-1).

(c) The maximum anticipated debt expected to be incurred by the City to reimburse the cost of each capital project or program in this Ordinance of Estimates is the applicable appropriation listed in this Ordinance of Estimates from the proceeds of one or more obligations, as such appropriations may be increased or decreased.

SECTION 5. The foregoing appropriations in summary consist of:

<u>Fund</u>	<u>Operating</u>	<u>Capital</u>	<u>Total</u>
General	\$ 1,102,796,000	\$ 3,460,000	\$1,106,256,000
Motor Vehicle	169,124,000	66,228,000	235,352,000
Parking Management	11,304,000	0	11,304,000
Convention Center Bond	4,700,000	0	4,700,000
Waste Water Utility	145,575,000	3,325,000	148,900,000
Water Utility	104,881,000	6,000,000	110,881,000
Parking Enterprise	27,321,000	0	27,321,000
Conduit Enterprise	7,199,000	0	7,199,000
Loan and Guarantee Enterprise	3,761,000	0	3,761,000
Federal	218,753,919	54,186,000	272,939,919
State	62,446,425	12,929,000	75,375,425
Special	43,739,294	214,715,000*	258,454,294
General Obligation Bonds	0	56,500,000	56,500,000
	<u>\$ 1,901,600,638</u>	<u>\$ 417,343,000</u>	<u>\$2,318,943,638</u>

*Consisting of

County.	\$ 48,168,000
Revenue Bonds and Notes	\$ 160,447,000
Other Fund Sources	\$ 6,100,000
	\$ 214,715,000

Approved by the Board of Estimates

President

Mayor

Comptroller

Director of Public Works

City Solicitor

BOARD OF ESTIMATES

Approved June 13, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-037
(Council Bill 05-013)**

AN ORDINANCE CONCERNING

Sale of Property – 101 West Cromwell 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 101 West Cromwell Street (Block 1060, Lot 006) and no longer needed for public use; and providing for a special effective date.

BY authority of

Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property known as 101 West Cromwell Street (Block 1060, Lot 006), and more particularly described as follows:

The subject parcel (Block 1060, Lot 006) is an unimproved lot, irregular in shape, with frontage along the south side of West Cromwell Street and along South Hanover Street and the South Hanover Street Bridge, containing 7.031 acres.

The parcel is a vacant waterfront site. It is adjacent to 101 West Dickman Street (Block 1060, Lot 001), current location of the City's Central Garage and Fleet Maintenance facility. The property is to be combined with the 11.537 acre, 101 West Dickman Street property for the development by the National Aquarium in Baltimore (NAIB) of a world-class initiative, the Center for Aquatic Life and Conservation (CALC). A new Central Garage/Fleet Maintenance facility will be constructed at 3800 East Biddle Street.

It is understood that the subject parcel was acquired by the City using Program Open Space (POS) funds, and that the sale of the subject parcel cannot occur before approval of a POS conversion as required by the Maryland State Department of Natural Resources.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-038
(Council Bill 05-014)**

AN ORDINANCE CONCERNING

Sale of Property – 2300 South Hanover 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 2300 South Hanover Street (Block 1060, Lot 004) and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property known as 2300 South Hanover Street (Block 1060, Lot 004), and more particularly described as follows:

The subject parcel (Block 1060, Lot 004) is an unimproved industrial lot. The site is located at the southwest corner of Dickman Street and Hanover Street, just east of Clarkson Street and north of West Cromwell Street, containing 1.039 acres.

The parcel is currently utilized by the City's Central Garage as a surplus vehicle lot. This parcel is to be combined with the 11.537 acre parcel at 101 West Dickman Street (Block 1060, Lot 001), current location of the City's Central Garage and Fleet Maintenance facility, and with the vacant 7.031 acre parcel at 101 West Cromwell Street (Block 1060, Lot 006) for development by the National Aquarium in Baltimore (NAIB) of a major initiative, the Center for Aquatic Life and Conservation (CALC). A new Central Garage/Fleet Maintenance facility (including surplus vehicle space) will be constructed at 3800 East Biddle Street.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-039
(Council Bill 05-015)**

AN ORDINANCE CONCERNING

Sale of Property – 101 West Dickman 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 101 West Dickman Street (Block 1060, Lot 001) and no longer needed for public use; and providing for a special effective date.

BY authority of

Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property known as 101 West Dickman Street (Block 1060, Lot 001), and more particularly described as follows:

The subject parcel (Block 1060, Lot 001) is an improved industrial lot. The site is located at the southwest corner of Dickman Street and Clarkson Street, opposite the end of Race Street, containing 11.537 acres.

The parcel is currently the site of the City's Central Garage and Fleet Maintenance facility. It is improved with a garage structure containing approximately 140,000 square feet. This parcel is to be combined with the vacant, unimproved, adjacent 7.031 acre parcel at 101 West Cromwell Street (Block 1060, Lot 006) for development by the National Aquarium in Baltimore (NAIB) of a world-class initiative, the Center for Aquatic Life and Conservation (CALC). The CALC project plan includes reuse of significant portions of the existing garage structure. A new Central Garage Fleet Maintenance facility will be constructed at 3800 East Biddle Street.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-040
(Council Bill 05-021)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
A 10-Foot Alley**

FOR the purpose of condemning and closing a 10-foot alley laid out in the rear of the property known as 21 West Mt. Royal Avenue, as shown on Plat 347-A-66 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close a 10-foot alley laid out in the rear of the property known as 21 West Mt. Royal Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Maryland Avenue, 66 feet wide and the north side of a 10-foot alley laid out in the rear of the property known as No. 21 W. Mt. Royal Avenue, said point of beginning being distant southerly 80.0 feet, more or less, measured along the east side of said Maryland Avenue from the south side of Mt. Royal Avenue, 120 feet wide, and running thence binding on the north side of said alley, Easterly 150.0 feet, more or less to intersect the west side of Morton Street, 20 feet wide; thence binding on the west side of said Morton Street, Southerly 10.0 feet to intersect the south side of said alley; thence binding on the south side of said alley, Westerly 150.0 feet, more or less to intersect the east side of said Maryland Avenue, and thence binding on the east side of said Maryland Avenue, Northerly 10.0 feet to the place of beginning.

As delineated on Plat 347-A-66, prepared by the Survey Control Section and filed on August 25, 2004, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the alley and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-041
(Council Bill 05-030)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Operating Appropriation –
Baltimore City Police Department – \$2,000,000**

FOR the purpose of providing a Supplementary Federal Fund Operating Appropriation in the amount of \$2,000,000 to the Baltimore City Police Department – Program 201 (Field Operations), to provide funding to acquire necessary equipment and training to establish and sustain a regional Urban Search and Rescue Team; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Office of Domestic Preparedness in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

On January 26, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$2,000,000 shall be made available to the Baltimore City Police Department – Program 201 (Field Operations) as a Supplementary Federal Fund Operating Appropriation for Fiscal Year 2005, to provide funding to acquire necessary equipment and training to establish and sustain a regional Urban Search and Rescue Team. The source of revenue for this appropriation is a grant from the Office of Domestic Preparedness in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-042
(Council Bill 05-031)**

AN ORDINANCE CONCERNING

**Acquisition of Property – Rights-of-Way for Public Utilities
for the Rehabilitation of the Biddison Run Interceptor**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain properties located along Biddison Run between Sinclair Lane and Sipple Avenue, and needed for the rehabilitation of the Biddison Run Interceptor, as shown on Plats numbered RW 20-36059 through RW 20-36064 and filed in the Office of the Director of the Department of Public Works; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2 and 45
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That it is necessary to acquire, for the purpose of rehabilitation of the Biddison Run Interceptor, the fee simple or other interests that the Director of Public Works considers needed or sufficient in the land and improvements located along Biddison Run between Sinclair Lane and Sipple Avenue, and more particularly described as follows:

1. Two Rights-of-Way through property of Parkside District Maintenance Corp., as shown on a plat numbered RW 20-36059 and dated November 21, 2002.
2. Right-of-Way at 5000-5010 Crenshaw Road, through the property of Holly Lane Associates, a Maryland Limited Partnership, as shown on a plat numbered RW 20-36060 and dated September 27, 2002.
3. Right-of-Way at 5012-5018 Crenshaw Avenue through the property of Holly Lane Associates, a Maryland Limited Partnership, as shown on a plat numbered RW 20-36061 and dated September 27, 2002.
4. Right-of-Way through the property of Gregory Scott Grosholz and Beatrice Roberta Grosholz, husband and wife, as shown on a plat numbered RW 20-36062 and dated September 27, 2002 or said property in its entirety.
5. Right-of-Way through the property of Gregory Scott Grosholz and Beatrice Roberta Grosholz, husband and wife, as shown on a plat numbered RW 20-36063 and dated September 27, 2002 or said property in its entirety.
6. Right-of-Way through the property of The Taunton Corp. at 5106-5110 Goodnow Road, as shown on a plat numbered RW 20-36064 and dated September 27, 2002.

Including all property, rights, interests, easements and/or franchises necessary for the Public Utility Perpetual Easement and the construction and maintenance of the Rehabilitation of the Biddison Run Interceptor and/or other municipal utilities and services in the Public Utility Rights-of-Way, the location and course of the Public Utility Rights-of-Way being shown on plats thereof numbered RW 20-36059 through RW 20-36064 prepared by the Survey Control Section of the Department of Transportation and filed in the office of the Director of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Department of Real Estate, or any other person or agency that the Board of Estimates designates, may negotiate and acquire on behalf of the Mayor and City Council of Baltimore the fee simple or other interests in the land and improvements described in this Ordinance as needed or sufficient for the purposes described in this Ordinance. If the Department of Real Estate, or the person or agency otherwise designated by the Board of Estimates, is unable to agree with the owner on the purchase price for the property, it shall promptly notify the City Solicitor, who shall institute the necessary legal proceedings to acquire by condemnation the fee simple or other interests needed or sufficient for the purposes described in this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That proceedings for the acquisition by condemnation of the property described in this Ordinance and all rights of all parties interested or affected shall be in accordance with Title 12 of the Real Property Article of the Maryland Code.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-043
(Council Bill 05-032)**

AN ORDINANCE CONCERNING

**City Streets – Opening –
Certain Streets and Alleys Lying Within the Area Bounded by
Orleans Street, Eden Street, May Street, and Central Avenue**

FOR the purpose of condemning and opening certain streets and alleys lying within the area bounded by Orleans Street, Eden Street, May Street, and Central Avenue, as shown on Plat 346-A-49 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open certain streets and alleys lying within the area bounded by Orleans Street, Eden Street, May Street, and Central Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Central Avenue, 100 feet wide and the south side of Mullikin Street, 40 feet wide, and running thence binding on the east side of said Central Avenue, Northerly 40.0 feet to intersect the north side of said Mullikin Street; thence binding on the north side of said Mullikin Street, Easterly 170.3 feet, more or less, to intersect the west side of Eden Street, 70 feet wide; thence binding on the west side of said Eden Street, Southerly 40.0 feet to intersect the south side of said Mullikin Street, and thence binding on the south side of said Mullikin Street, Westerly 170.3 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the east side of Central Avenue, 100 feet wide and the north side of a 6-foot alley laid out adjacent to the south outline of the property known as No. 311 N. Central Avenue and in the rear of the properties known as Nos. 1309 through 1313 Orleans Street, said point of beginning being distant, Southerly 72.0 feet, more or less, measured along the east side of said Central Avenue from the south side of Orleans Street, 116 feet wide, and running thence binding in part on the north side of said alley, in part on the north side of an 8-foot alley laid out in the rear of the property known as No. 308 N. Eden Street, and in all, Easterly 102.8 feet, more or less, to the easternmost extremity of last said alley; thence binding on the easternmost extremity of last said alley, Southerly 8.0 feet, more or less, to intersect the south side of last said alley; thence binding on the south side of last said alley, Westerly 7.4 feet, more or less, to intersect the east outline of the property known as No. 1306 Mullikin Street; thence binding on the east outline of last said property, Northerly 2.0 feet to intersect the south side of said 6-foot alley; thence binding on the south side of said 6 foot alley, Westerly 95.4 feet, more or less, to intersect the east side of said Central Avenue, and thence binding on the east side of said Central Avenue, Northerly 6.0 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the north side of a 6-foot alley adjacent to the south outline of the property known as No. 311 N. Central Avenue and the west side of a

3-foot alley laid out in the rear of the properties known as Nos. 311 and 313 N. Central Avenue, said point of beginning being distant Easterly 55.0 feet, more or less, measured along the north side of said 6-foot alley from the east side of Central Avenue, 100 feet wide, and running thence binding on the west side of said 3-foot alley, Northerly 26.0 feet, more or less, to intersect the south side a 3-foot alley laid out in the rear of the of the properties known as Nos. 1305 through 1307 Orleans Street; thence binding on the south side of said last 3-foot alley, Easterly 3.0 feet, to intersect the east side of the 3-foot alley, mentioned firstly herein; thence binding on the east side of the 3-foot alley mentioned firstly herein, Southerly 26.0 feet, more or less, to intersect the north side of said 6-foot alley, and thence binding on the north side of said 6-foot alley, Westerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 4 at the point formed by the intersection of the westernmost extremity of a 3-foot alley laid out in the rear of the properties known as Nos. 1305 and 1307 Orleans Street and the north outline of the property known as No. 313 N. Central Avenue, said point of beginning being distant, Easterly 30.0 feet, more or less, measured along the north outline of last said property from the east side of Central Avenue, 100 feet wide, and running thence binding on the westernmost extremity of said 3-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 28.0 feet, more or less, to intersect the west outline of the property known as No. 1309 Orleans Street; thence binding on the west outline of last said property, Southerly 3.0 feet, to intersect the south side of said 3-foot alley, and thence binding on the south side of said 3-foot alley, Westerly 28.0 feet, more or less, to the place of beginning.

Beginning for Parcel No.5 at the point formed by the intersection of the east side of a 2.2-foot alley laid out in the rear of the of the properties known as Nos. 308 and 310 N. Eden Street, and the south outline of the property known as No. 1315/17 Orleans Street, said point of beginning being distant Westerly 67.5 feet, more or less, measured along the north outline of the property known as No. 310 N. Eden Street, from the west side of Eden Street, 70 feet wide, and running thence binding on the east side of said 2.2 foot-alley, Southerly 18.5 feet, more or less, to intersect the north side of an 8-foot alley, there situate; thence binding on the north side of said 8-foot alley, Westerly 2.2 feet, more or less, to intersect the west side of said 2.2-foot alley; thence binding on the west side of said 2.2-foot alley, Northerly 18.5 feet, more or less, to intersect the south outline of the property known as No. 1315/17 Orleans Street and the northernmost extremity of said 2.2-foot alley, there situate, and thence binding on the northernmost extremity of said alley, Easterly 2.2 feet, more or less, to the place of beginning.

Beginning for Parcel No. 6 at the point formed by the intersection of the north outline of the property known as No. 304 N. Eden Street and the west side of a 2.75-foot alley laid out between the west outline of the property known as No. 306 N. Eden Street and the east outline of the property known as No. 1306 Mullikin Street, said point of beginning being distant Northerly 46.0 feet, more or less, measured along the east outline of the property known as No.1306 Mullikin Street, from the north side of said Mullikin Street, 40 feet wide, and running thence binding on the east outline of last said property and on the west side of said alley, there situate, Northerly 15.0 feet, more or less, to intersect the south side of an 8-foot alley, there situate; thence binding on the south side of said 8-foot alley, Easterly 2.75 feet, more or less, to intersect the east side of said 2.75-foot alley; thence binding on the east side of said 2.75-foot alley, Southerly 15.0 feet, more or less, to intersect the north outline of the property known as No. 304 N. Eden Street, and thence binding on the north outline of last said property and on the southernmost extremity of said 2.75-foot alley, there situate, Westerly 2.75 feet more or less, to the place of beginning.

Beginning for Parcel No. 7 at the point formed by the intersection of the north side of May Street, 50 feet wide and the east side of a 3-foot alley laid out in the rear of the properties known as Nos. 202 through 206 N. Eden Street, said point of beginning being distant Westerly 72.0 feet, more or less, measured along the north side of said May Street from the east side of Eden Street, 70 feet wide, and running thence binding on the north side of said May Street, Westerly 3.0 feet to intersect the west side of said 3-foot alley; thence binding on the west side of said 3-foot alley, Northerly 45.0 feet, more or less, to intersect the northernmost extremity of said alley; thence binding on the northernmost extremity of said alley,

Easterly 3.0 feet to intersect the east side of said alley, and thence binding on the east side of said alley, Southerly 45.0 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-49, prepared by the Survey Control Section and filed on July 29, 2004, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of the streets and alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-044
(Council Bill 05-033)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
Certain Streets and Alleys Lying Within the Area Bounded by
Orleans Street, Eden Street, May Street, and Central Avenue**

FOR the purpose of condemning and closing certain streets and alleys lying within the area bounded by Orleans Street, Eden Street, May Street, and Central Avenue, as shown on Plat 346-A-49A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close certain streets and alleys lying within the area bounded by Orleans Street, Eden Street, May Street, and Central Avenue, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Central Avenue, 100 feet wide and the south side of Mullikin Street, 40 feet wide, and running thence binding on the east side of said Central Avenue, Northerly 40.0 feet to intersect the north side of said Mullikin Street; thence binding on the north side of said Mullikin Street, Easterly 170.3 feet, more or less, to intersect the west side of Eden Street, 70 feet wide; thence binding on the west side of said Eden Street, Southerly 40.0 feet

to intersect the south side of said Mullikin Street, and thence binding on the south side of said Mullikin Street, Westerly 170.3 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the east side of Central Avenue, 100 feet wide and the north side of a 6-foot alley laid out adjacent to the south outline of the property known as No. 311 N. Central Avenue and in the rear of the properties known as Nos. 1309 through 1313 Orleans Street, said point of beginning being distant, southerly 72.0 feet, more or less, measured along the east side of said Central Avenue from the south side of Orleans Street, 116 feet wide, and running thence binding in part on the north side of said alley, in part on the north side of an 8-foot alley laid out in the rear of the property known as No. 308 N. Eden Street, and in all, Easterly 102.8 feet, more or less, to the easternmost extremity of last said alley; thence binding on the easternmost extremity of last said alley, Southerly 8.0 feet, more less, to intersect the south side of last said alley; thence binding on the south side of last said alley, Westerly 7.4 feet, more of less, to intersect the east outline of the property known as No. 1306 Mullikin Street; thence binding on the east outline of last said property, Northerly 2.0 feet to intersect the south side of said 6-foot alley; thence binding on the south side of said 6-foot alley, Westerly 95.4 feet, more of less, to intersect the east side of said Central Avenue, and thence binding on the east side of said Central Avenue, Northerly 6.0 feet to the place of beginning.

Beginning for Parcel No. 3 at the point formed by the intersection of the north side of a 6-foot alley adjacent to the south outline of the property known as No. 311 N. Central Avenue and the west side of a 3-foot alley laid out in the rear of the properties known as Nos. 311 and 313 N. Central Avenue, said point of beginning being distant Easterly 55.0 feet, more or less, measured along the north side of said 6-foot alley from the east side of Central Avenue, 100 feet wide, and running thence binding on the west side of said 3-foot alley, Northerly 26.0 feet, more or less, to intersect the south side a 3-foot alley laid out in the rear of the of the properties known as Nos. 1305 through 1307 Orleans Street; thence binding on the south side of said last 3-foot alley, Easterly 3.0 feet, to intersect the east side of the 3-foot alley, mentioned firstly herein; thence binding on the east side of the 3-foot alley mentioned firstly herein, Southerly 26.0 feet, more or less, to intersect the north side of said 6-foot alley, and thence binding on the north side of said 6-foot alley, Westerly 3.0 feet to the place of beginning.

Beginning for Parcel No. 4 at the point formed by the intersection of the westernmost extremity of a 3-foot alley laid out in the rear of the properties known as Nos. 1305 and 1307 Orleans Street and the north outline of the property known as No. 313 N. Central Avenue, said point of beginning being distant, easterly 30.0 feet, more or less, measured along the north outline of last said property from the east side of Central Avenue, 100 feet wide, and running thence binding on the westernmost extremity of said 3-foot alley, Northerly 3.0 feet to intersect the north side of said 3-foot alley; thence binding on the north side of said 3-foot alley, Easterly 28.0 feet, more or less, to intersect the west outline of the property known as No. 1309 Orleans Street; thence binding on the west outline of last said property, Southerly 3.0 feet, to intersect the south side of said 3-foot alley, and thence binding on the south side of said 3-foot alley, Westerly 28.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 5 at the point formed by the intersection of the east side of a 2.2-foot alley laid out in the rear of the of the properties known as Nos. 308 and 310 N. Eden Street, and the south outline of the property known as No. 1315/17 Orleans Street, said point of beginning being distant westerly 67.5 feet, more or less, measured along the north outline of the property known as No. 310 N. Eden Street, from the west side of Eden Street, 70 feet wide, and running thence binding on the east side of said 2.2-foot alley, Southerly 18.5 feet, more or less, to intersect the north side of an 8-foot alley, there situate; thence binding on the north side of said 8-foot alley, Westerly 2.2 feet, more or less, to intersect the west side of said 2.2-foot alley; thence binding on the west side of said 2.2-foot alley, Northerly 18.5 feet, more or less, to intersect the south outline of the property known as No. 1315/17 Orleans Street and the northernmost extremity of said 2.2-foot alley, there situate, and thence binding on the northernmost extremity of said alley, Easterly 2.2 feet, more or less, to the place of beginning.

Beginning for Parcel No. 6 at the point formed by the intersection of the north outline of the property known as No. 304 N. Eden Street and the west side of a 2.75-foot alley laid out between the west outline of the property known as No. 306 N. Eden Street and the east outline of the property known as No. 1306 Mullikin Street, said point of beginning being distant northerly 46.0 feet, more or less, measured along the east outline of the property known as No. 1306 Mullikin Street, from the north side of said Mullikin Street, 40 feet wide, and running thence binding on the east outline of last said property and on the west side of said alley, there situate, Northerly 15.0 feet, more or less, to intersect the south side of an 8-foot alley, there situate; thence binding on the south side of said 8-foot alley, Easterly 2.75 feet, more or less, to intersect the east side of said 2.75 foot alley; thence binding on the east side of said 2.75-foot alley, Southerly 15.0 feet, more or less, to intersect the north outline of the property known as No. 304 N. Eden Street, and thence binding on the north outline of last said property and on the southernmost extremity of said 2.75-foot alley, there situate, Westerly 2.75 feet, more or less, to the place of beginning.

Beginning for Parcel No. 7 at the point formed by the intersection of the north side of May Street, 50 feet wide and the east side of a 3-foot alley laid out in the rear of the properties known as Nos. 202 through 206 N. Eden Street, said point of beginning being distant westerly 72.0 feet, more or less, measured along the north side of said May Street from the east side of Eden Street, 70 feet wide, and running thence binding on the north side of said May Street, Westerly 3.0 feet to intersect the west side of said 3-foot alley; thence binding on the west side of said 3-foot alley, Northerly 45.0 feet, more or less, to intersect the northernmost extremity of said alley; thence binding on the northernmost extremity of said alley, Easterly 3.0 feet to intersect the east side of said alley, and thence binding on the east side of said alley, Southerly 45.0 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-49A, prepared by the Survey Control Section and filed on July 29, 2004, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the streets and alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council,

for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-045
(Council Bill 05-036)**

AN ORDINANCE CONCERNING

**City Property – Naming Engine Company #5 Fire Station
to be
Roman A. Kaminski Fire Station**

FOR the purpose of naming the Engine Company #5 Fire Station, located at 2120 Eastern Avenue, to be the Roman A. Kaminski Fire Station.

BY authority of

Article 5 - Finance, Property, and Procurement
Section 20-2
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Engine Company #5 Fire Station, located at 2120 Eastern Avenue, is named the Roman A. Kaminski Fire Station.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-046
(Council Bill 05-054)**

AN ORDINANCE CONCERNING

**Supplementary Capital Fund Appropriation –
Department of Public Works – \$19,758,000**

FOR the purpose of providing a Supplementary Capital Fund Appropriation in the amount of \$19,758,000 to the Department of Public Works (Account #9916-197-189), to provide for the construction of a Fleet Maintenance Facility; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from G.O. Bonds (\$5,500,000); General Fund Balance (\$3,574,800); Motor Vehicle Fund Balance (\$2,383,200); Federal Grant (\$300,000) and Private Grant (\$8,000,000) in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$19,758,000 shall be made available to the Department of Public Works (Account #9916-197-189) as a Supplementary Capital Fund Appropriation for Fiscal Year 2005, to provide for the construction of a Fleet Maintenance Facility. The source of revenue for this appropriation is from G.O. Bonds (\$5,500,000); General Fund Balance (\$3,574,800); Motor Vehicle Fund Balance (\$2,383,200); Federal Grant (\$300,000) and Private Grant (\$8,000,000) in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-047
(Council Bill 05-056)**

AN ORDINANCE CONCERNING

**Supplementary Loan Fund Capital Appropriation –
Department of Transportation – \$6,592,346**

FOR the purpose of providing a Supplementary Loan Fund Capital Appropriation in the amount of \$6,592,346 to the Department of Transportation (Account #9950-514-808), to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract 2); and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Maryland County Transportation Revenue Bonds in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On March 9, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$6,592,346 shall be made available to the Department of Transportation (Account #9950-514-808) as a Supplementary Loan Fund Capital Appropriation for Fiscal Year 2005, to provide capital appropriations for resurfacing various roadways within the City (Job Order Contract 2). The source of revenue for this appropriation is Maryland County Transportation Revenue Bonds in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-048
(Council Bill 05-066)**

AN ORDINANCE CONCERNING

**Franchise – Structural Projections over Beds of
West Mt. Royal Avenue and Maryland Avenue**

FOR the purpose of granting a franchise to the University of Baltimore to construct, use, and maintain structural projections above portions of the West Mt. Royal Avenue and Maryland Avenue rights-of-way, subject to certain terms, conditions, and reservations; and providing for a special effective date.

BY authority of

Article VIII - Franchises
Baltimore City Charter
(1996 Edition)

Recitals

The University of Baltimore is constructing an approximately 62,325 square foot multi-story Student Center Building at 21 West Mt. Royal Avenue. The structure is to be located on the southeast corner of West Mt. Royal and Maryland Avenues, just west of and adjacent to the University campus complex.

The Student Center Building will provide a gathering place for students, meeting rooms and offices for student groups, and will also include a bookstore, recital hall, recreational space, and food court.

Portions of the Student Center Building will project over and above portions of public rights-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That a franchise or right is granted to the University of Baltimore, its tenants, successors, and assigns (collectively, the “Grantee”) to construct, use, and maintain, at Grantee’s own cost and expense, and subject to the terms and conditions of this Ordinance, structural projections on the building located at the southeast corner of West Mt. Royal Avenue and Maryland Avenue and known as 21 West Mt. Royal Avenue, located within the aerial easement areas more particularly described as follows:

Located along the north property line along West Mt. Royal Avenue at the Second and Third floors of the building is a projecting, glass enclosed space. The projection extends approximately 5 feet 6 inches into the West Mt. Royal Avenue right-of-way. The width of the projection is approximately 45 feet 6 inches, and the height is approximately 30 feet. The projection will be approximately 11 feet above the street bed at its lowest point and will have a maximum top elevation of 42 feet 7 inches, more or less. The projection contains approximately 150 square feet in plane for each of the two floors, for a total of 300 square feet.

Located along the north property line along West Mt. Royal Avenue at the Fifth floor of the building is a projecting, metal clad curving panel space. The projection extends from 0 inches to approximately 5 feet into the West Mt. Royal Avenue right-of-way. The height of the projection is 28 feet. The projection will be approximately 42 feet 7 inches above the street bed at its lowest point and will have a maximum top elevation of 88.5 feet, more or less. The projection contains approximately 30 square feet in plane.

Located along the north and west property line along West Mt. Royal Avenue and Maryland Avenue at the Second through Fifth floors of the building is a projecting, glass enclosed space. The faceted

projections extend from 0 inches to approximately 3 feet 6 inches into the West Mt. Royal Avenue right-of-way to the north and from 0 inches to approximately 2 feet 3 inches into the Maryland Avenue right-of-way to the west. The projections will be approximately 16 feet above the street bed at its lowest point and will have a maximum top elevation of 51 feet 5 inches, more or less, to the north and will be approximately 21 feet above the street bed at its lowest point and will have a maximum top elevation of 39 feet 4 inches, more or less, to the west. The projections contain approximately 4 square feet in plane to the north and approximately 9 square feet in plane to the west, for a total of 13 square feet.

SECTION 2. AND BE IT FURTHER ORDAINED, That to become effective, the franchise or right granted by this Ordinance (the “Franchise”) must be executed and enjoyed by the Grantee within 6 months after the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as compensation for the Franchise, the Grantee shall pay to the Mayor and City Council of Baltimore a franchise charge of \$2,646.02 a year, subject to increase or decrease as provided in Section 5 of this Ordinance. The franchise charge must be paid annually, at least 30 days before the initial and each renewal term of the Franchise.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The initial term of the Franchise is 1 year, commencing on the effective date of this Ordinance. Unless sooner terminated as provided in this Ordinance, the Franchise will automatically renew, without any action by either the Mayor and City Council of Baltimore or the Grantee, for 24 consecutive 1-year renewal terms. Except as otherwise provided in this Ordinance, each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years.

(b) Either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may cancel the Franchise as at the end of the initial or any renewal term by giving written notice of cancellation to the other at least 90 days before the end of that term.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the annual franchise charge by giving written notice of the increase or decrease to the Grantee at least 150 days before the end of the original or renewal term immediately preceding the renewal term to which the increase or decrease will first apply. The new franchise charge will apply to all subsequent annual renewal terms, unless again increased or decreased in accordance with this section.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore expressly reserves the right at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control over and in respect to all matters connected with the Franchise and not inconsistent with the terms of this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Grantee, at its own cost and expense, shall maintain in good condition and in compliance with all applicable laws and regulations of Baltimore City, all structures for which the Franchise is granted. The maintenance of these structures shall be at all times subject to the regulation and control of the Commissioner of Housing and Community Development and the Director of Public Works. If any structure for which the Franchise is granted must be readjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs and expenses in connection with the readjustment, relocation, protection, or support.

SECTION 8. AND BE IT FURTHER ORDAINED, That at the option of the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, the Grantee’s failure to comply with any term or condition of this Ordinance constitutes a forfeiture of the Franchise. Immediately on written notice to the

Grantee of the exercise of this option, the Franchise terminates. Once so terminated, only an ordinance of the Mayor and City Council of Baltimore may waive the forfeiture or otherwise reinstate the Franchise.

SECTION 9. AND BE IT FURTHER ORDAINED, That at any time and without prior notice, the Mayor of Baltimore City may revoke the Franchise if, in the Mayor's judgment, the public interest, welfare, safety, or convenience so requires. Immediately on written notice to the Grantee of the exercise of this right, the Franchise terminates.

SECTION 10. AND BE IT FURTHER ORDAINED, That on cancellation, expiration, forfeiture, revocation, or other termination of the Franchise for any reason, the Grantee shall remove all structures for which the Franchise is granted. The removal of these structures shall be (i) undertaken at the cost and expense of the Grantee, without any compensation from the Mayor and City Council of Baltimore, (ii) made in a manner satisfactory to the Commissioner of Housing and Community Development and the Director of Public Works, and (iii) completed within the time specified in writing by the Director of Public Works.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Grantee is liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against all suits, losses, costs, claims, damages, or expenses to which the Mayor and City Council of Baltimore is at any time subjected on account of, or in any way resulting from, (i) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of any of the structures for which the Franchise is granted, or (ii) any failure of the Grantee, its officers, employees, or agents, to perform promptly and properly any duty or obligation imposed on the Grantee by this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-049
(Council Bill 05-068)**

AN ORDINANCE CONCERNING

**Zoning – Conditional Use Parking, Open Off-Street Area –
2000-2030 Herbert Street**

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, open off-street area on the property known as 2000-2030 Herbert Street, as outlined in red on the accompanying plat.

BY authority of

Article - Zoning
Section(s) 4-1004(4) and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, open off-street area on the property

known as 2000-2030 Herbert Street, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-1004(4) and 14-102, subject to the condition that the parking, open off-street area complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-050
(Council Bill 05-072)**

AN ORDINANCE CONCERNING

Sale of Property – 42-44 East Cross 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 located at 42-44 East Cross Street (Block 935A, Ward 23, Section 4, Lot 13/15) and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property located at 42-44 East Cross Street (Block 935A, Ward 23, Section 4, Lot 13/15), and more particularly described as follows:

This property is a 1,903 square foot parcel, improved with a 2-story brick building containing a total of approximately 2,016 square feet, 1,008 square feet per floor. There are men's and women's restroom facilities on the lower floor and a 2-bedroom apartment on the upper floor.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-051
(Council Bill 05-074)**

AN ORDINANCE CONCERNING

Sale of Property – 301 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 certain property located at 301 North Broadway and no longer needed for public use; and providing for a special effective date.

BY authority of

Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the property located at 301 North Broadway, and more particularly described as follows:

Beginning for the same at the point formed by the intersection of the east side of Broadway, 130.67 feet wide, and the south side of Orleans Street, 116 feet wide, having a coordinate value of East 6,178.790 feet and South 894.551 feet, and running thence binding on the south side of said Orleans Street, North 87° 04' 30" East 111.00 feet to the east outline of the property known as No. 301 N. Broadway; thence binding on the east outline of said property, South 02° 44' 00" East 162.22 feet to intersect the north side of the former bed of Mullikin Street, 50 feet wide; thence binding on the north side of the former bed of said Mullikin Street, South 87° 04' 30" West 111.00 feet to intersect the east side of said Broadway, and thence binding on the east side of said Broadway, North 02° 44' 00" West 162.22 feet to the place of beginning,

containing 18,007.56 square feet or 0.4134 acre of land, more or less, this property being no longer needed for public use.

All courses, distances and coordinates in the above description are referred to the true meridian as adopted by the Baltimore Survey Control System.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-052
(Council Bill 05-094)**

AN ORDINANCE CONCERNING

**City Streets – Opening –
A Variable Width Alley**

FOR the purpose of condemning and opening an alley of variable width, extending from 32nd Street, northerly 311.5 feet, more or less, to the south outline of the property known as 3233 St. Paul Street, as shown on Plat 347-A-70 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open an alley of variable width, extending from 32nd Street, northerly 311.5 feet, more or less, to the south outline of the property known as 3233 St. Paul Street, and more particularly described as follows:

Beginning for Parcel No.1 at the point formed by the intersection of the north side of 32nd Street, 66 feet wide and the west side of an alley of variable width, laid out in the rear of the properties known as Nos. 3201 through 3233 St. Paul Street, said point of beginning being distant, easterly 80.3 feet, more or less measured along the north side of said 32nd Street, from the east side of St. Paul Street, 108 feet wide, and running thence binding on the west side of said alley, Northerly 311.5 feet, more or less, to the south outline of the property known as No. 3233 St. Paul Street; thence by a straight line drawn at right angles to said alley, Easterly 12.0 feet to intersect the east side of said alley at a point where it is 12 feet wide; thence binding on the east side of said 12-foot alley, Southerly 252.5 feet, more or less, to intersect the north side of said alley mentioned firstly herein at a point where it is 15 feet wide; thence binding on the north side of said 15-foot alley, Easterly 3.0 feet, to the east side of said 15-foot alley; thence binding on the east side of said 15-foot alley, Southerly 35.0 feet, more or less, to intersect the north side of said alley mentioned firstly herein at a point where it is 17 feet wide; thence binding on the north side of said 17-foot alley, Easterly 2.0 feet, to intersect the east side of said 17-foot alley; thence binding on the east side of said 17-foot alley, Southerly 24.0 feet, more or less, to intersect the north side of said 32nd Street, and thence binding on the north side of said 32nd Street, Westerly 17.0 feet, to the place of beginning.

As delineated on Plat 347-A-70, prepared by the Survey Control Section and filed on February 15, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of the alley and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-053
(Council Bill 05-095)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
A Variable Width Alley**

FOR the purpose of condemning and closing an alley of variable width, extending from 32nd Street, northerly 311.5 feet, more or less, to the south outline of the property known as 3233 St. Paul Street, as shown on Plat 347-A-70A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close an alley of variable width, extending from 32nd Street, northerly 311.5 feet, more or less, to the south outline of the property known as 3233 St. Paul Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the north side of 32nd Street, 66 feet wide and the west side of an alley of variable width, laid out in the rear of the properties known as Nos. 3201 through 3233 St. Paul Street, said point of beginning being distant, Easterly 80.3 feet, more or less measured along the north side of said 32nd Street, from the east side of St. Paul Street, 108 feet wide, and running thence binding on the west side of said alley, Northerly 311.5 feet, more or less, to the south outline of the property known as No. 3233 St. Paul Street; thence by a straight line drawn at right angles to said alley, Easterly 12.0 feet to intersect the east side of said alley at a point where it is 12 feet wide; thence binding on the east side of said 12-foot alley, Southerly 252.5 feet, more or less, to intersect the

north side of said alley mentioned firstly herein at a point where it is 15 feet wide; thence binding on the north side of said 15-foot alley, Easterly 3.0 feet, to the east side of said 15-foot alley; thence binding on the east side of said 15-foot alley, Southerly 35.0 feet, more or less, to intersect the north side of said alley mentioned firstly herein at a point where it is 17 feet wide; thence binding on the north side of said 17-foot alley, Easterly 2.0 feet, to intersect the east side of said 17-foot alley; thence binding on the east side of said 17-foot alley, Southerly 24.0 feet, more or less, to intersect the north side of said 32nd Street, and thence binding on the north side of said 32nd Street, Westerly 17.0 feet, to the place of beginning.

As delineated on Plat 347-A-70A, prepared by the Survey Control Section and filed on February 15, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the alley and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-054
(Council Bill 05-096)**

AN ORDINANCE CONCERNING

**City Streets – Opening –
Certain Alleys Lying Within the Area Bounded by Eastern Avenue,
Dean Street, Fleet Street, and Conkling Street**

FOR the purpose of condemning and opening certain alleys lying within the area bounded by Eastern Avenue, Dean Street, Fleet Street, and Conkling Street, as shown on Plat 347-A-71 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open certain alleys lying within the area bounded by Eastern Avenue, Dean Street, Fleet Street, and Conkling Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Eastern Avenue, 70 feet wide and the west side of a 3-foot alley, laid out parallel with and distant 82.0 feet, more or less, east of the east side of Conkling Street, 100 feet wide, and running thence binding on the south side of said Eastern Street, Easterly 3.0 feet to intersect the east side of said alley; thence binding on the east side of said alley, Southerly 70.0 feet, more or less, to the southernmost extremity of said alley; thence binding on the southernmost extremity of said alley, Westerly 3.0 feet to intersect the west side of said alley, and thence binding on the west side of said alley, Northerly 70.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the west side of Dean Street, 20 feet wide and the north side of a 3-foot alley, laid out parallel with and distant 67.0 feet, more or less, south of the south side of Eastern Avenue, 70 feet wide, and running thence binding on the east side of said Dean Street, Southerly 3.0 feet to intersect the south side of said alley; thence binding on the south side of said alley, Westerly 30.0 feet, more or less, to the westernmost extremity of said alley; thence binding on the westernmost extremity of said alley, Northerly 3.0 feet to intersect the north side of said alley, and thence binding on the north side of said alley, Easterly 30.0, more or less, feet to the place of beginning.

As delineated on Plat 347-A-71, prepared by the Survey Control Section and filed on March 10, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of the alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-055
(Council Bill 05-097)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
Certain Alleys Lying Within the Area Bounded by Eastern Avenue,
Dean Street, Fleet Street, and Conkling Street**

FOR the purpose of condemning and closing certain alleys lying within the area bounded by Eastern Avenue, Dean Street, Fleet Street, and Conkling Street, as shown on Plat 347-A-71A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close certain alleys lying within the area bounded by Eastern Avenue, Dean Street, Fleet Street, and Conkling Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Eastern Avenue, 70 feet wide and the west side of a 3-foot alley, laid out parallel with and distant 82.0 feet, more or less, east of the east side of Conkling Street, 100 feet wide, and running thence binding on the south side of said Eastern Street, Easterly 3.0 feet to intersect the east side of said alley; thence binding on the east side of said alley, Southerly 70.0 feet, more or less, to the southernmost extremity of said alley; thence binding on the southernmost extremity of said alley, Westerly 3.0 feet to intersect the west side of said alley, and thence binding on the west side of said alley, Northerly 70.0 feet, more or less, to the place of beginning.

Beginning for Parcel No. 2 at the point formed by the intersection of the west side of Dean Street, 20 feet wide and the north side of a 3-foot alley, laid out parallel with and distant 67.0 feet, more or less, south of the south side of Eastern Avenue, 70 feet wide, and running thence binding on the east side of said Dean Street, Southerly 3.0 feet to intersect the south side of said alley; thence binding on the south side of said alley, Westerly 30.0 feet, more or less, to the westernmost extremity of said alley; thence binding on the westernmost extremity of said alley, Northerly 3.0 feet to intersect the north side of said alley, and thence binding on the north side of said alley, Easterly 30.0, more or less, feet to the place of beginning.

As delineated on Plat 347-A-71A, prepared by the Survey Control Section and filed on March 10, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the alleys and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-056
(Council Bill 05-098)**

AN ORDINANCE CONCERNING

Railroads – Obstructing Passage

FOR the purpose of authorizing certain exceptions to provisions that prohibit railroad cars, locomotives, and other vehicles from obstructing the passage of pedestrians or vehicles in certain locations; correcting,

clarifying, and conforming certain language; and generally relating to the regulation of railroads and railroad cars.

BY repealing and reordaining, with amendments

Article 20 - Railroads
Section(s) 1-3 and 1-4
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, without amendments

Article 20 - Railroads
Section(s) 1-9
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 20. Railroads

Subtitle 1. Railroad Cars

§ 1-3. Obstructing pedestrians and vehicles.

(a) *Prohibited conduct.*

[It shall be] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IT IS unlawful for any railroad company[, or [any] other person [or persons, or company, operating any car or cars,] to place or cause to be placed any railroad car, locomotive, or other vehicle on any railroad track [within the City limits,] AT A CROSS STREET OR INTERSECTION in [such] ANY manner [as to obstruct] THAT OBSTRUCTS the passage of [pedestrian and/or] PEDESTRIANS OR vehicles for [a period of time in excess of] MORE THAN 5 minutes [at any of the cross streets or intersections within said limits].

(B) *EXCEPTION.*

THIS SECTION DOES NOT APPLY TO THE EXTENT THAT THE PLACEMENT IS AUTHORIZED BY AND COMPLIES WITH:

- (1) A RULE, REGULATION, OR DIRECTIVE OF THE DIRECTOR OF TRANSPORTATION; OR
- (2) A CONTRACT APPROVED BY THE BOARD OF ESTIMATES AND ENTERED INTO BY THE RAILROAD COMPANY OR OTHER PERSON AND THE MAYOR AND CITY COUNCIL OF BALTIMORE.

(C) [(b)] *Penalties.*

[The penalty for each and every violation] ANY PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF [shall be] not [less than \$100 nor] more than \$500 FOR EACH OFFENSE.

§ 1-4. Obstructing street passage.*(A) PROHIBITED CONDUCT.*

[It shall be] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IT IS unlawful for any RAILROAD company[, person,] or [persons] OTHER PERSON to place OR CAUSE TO BE PLACED any railroad [cars] CAR of any description on any turnout or private switch [within the City limits,] in [such] ANY manner [as to obstruct the] THAT OBSTRUCTS free passage along the line of [the] A street or alley.

(B) EXCEPTION.

THIS SECTION DOES NOT APPLY TO THE EXTENT THAT THE PLACEMENT IS AUTHORIZED BY AND COMPLIES WITH:

- (1) A RULE, REGULATION, OR DIRECTIVE OF THE DIRECTOR OF TRANSPORTATION; OR
- (2) A CONTRACT APPROVED BY THE BOARD OF ESTIMATES AND ENTERED INTO BY THE RAILROAD COMPANY OR OTHER PERSON AND THE MAYOR AND CITY COUNCIL OF BALTIMORE.

§ 1-9. Penalties.

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, unless another penalty is provided, is subject on conviction to a fine of not more than \$25 for each offense.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-057
(Council Bill 05-101)**

AN ORDINANCE CONCERNING**Property Tax Credits – Newly Constructed Dwellings**

FOR the purpose of altering the termination date applicable to the property tax credit granted against the local property tax imposed on certain newly constructed dwellings; requiring an analysis and report on the effect of this tax credit; providing for a special effective date; and generally relating to property tax credits for newly constructed dwellings.

BY repealing and reordaining, with amendments

Article 28 - Taxes
Section(s) 10-5(j)
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 28. Taxes

Subtitle 10. Credits

§ 10-5. Newly constructed dwellings.

(j) *Termination of program.*

- (1) After June 30, [2005] 2007, additional owners of newly constructed dwellings may not be granted a credit under this section.
- (2) This subsection does not apply to an owner's continuing receipt of a credit as allowed in subsection (d) with respect to a property for which a tax credit under this section was received for a taxable year ending on or before June 30, [2005] 2007.

SECTION 2. AND BE IT FURTHER ORDAINED, That on or before April 1, 2006, the Department of Finance and Department of Housing and Community Development shall analyze and report to the City Council on the effect, including the public costs and benefits, of the credits granted under City Code Article 28, § 10-5, for newly constructed dwellings.

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-058
(Council Bill 05-105)**

AN ORDINANCE CONCERNING

Annual Property Tax – Fiscal Year 2006

FOR the purpose of providing a tax for the use of the Mayor and City Council of Baltimore for the period July 1, 2005 through June 30, 2006; setting the semiannual payment service charge for that period; and providing for a special effective date.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That for the period July 1, 2005 through June 30, 2006, a tax is levied and imposed for the use of the Mayor and City Council of Baltimore on all property in the City of Baltimore (except property exempt by law), as follows:

- (a) except as otherwise specified in item (b) of this section, a tax of \$2.308 is levied and imposed on every \$100 of assessed or assessable value of real property; and
- (b) a tax of \$5.77, is levied and imposed on every \$100 of assessed or assessable value of:
 - (1) personal property; and
 - (2) operating real property described in State Tax-Property Article § 8-109(c).

SECTION 2. AND BE IT FURTHER ORDAINED, That this tax shall be paid and collected in the manner prescribed by law.

SECTION 3. AND BE IT FURTHER ORDAINED, That for the period July 1, 2005, through June 30, 2006, the semiannual payment service charges to be imposed under State Tax-Property Article § 10-204.3 is 0.642%.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-059
(Council Bill 05-107)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
MR-Amtrak Corridor Project – \$1,000,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$1,000,000 to the MR-Amtrak Corridor Project (Account #9904-129-157), to provide funds for a beautification project along the Amtrak corridor in East Baltimore; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the MR-Amtrak Corridor Project (Account #9904-129-157) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds for a beautification project along the Amtrak corridor in East Baltimore. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-060
(Council Bill 05-108)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – Enoch Pratt Free Library – \$1,000,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$1,000,000 to the Enoch Pratt Free Library (Account #9936-458-201), to provide funds for capital maintenance at the library branches; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Enoch Pratt Free Library (Account #9936-458-201) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds for capital maintenance at the library branches. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-061
(Council Bill 05-109)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – Department of Finance – \$2,000,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$2,000,000 to the Department of Finance (Account #9908-149-030), to provide funds to complete Phase 1 of the new Integrated Property Tax System; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$2,000,000 shall be made available to the Department of Finance (Account #9908-149-030) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds to complete Phase 1 of the new Integrated Property Tax System. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-062
(Council Bill 05-110)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – Department of Housing and Community Development – \$1,000,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$1,000,000 to the Department of Housing and Community Development (Account #9910-587-902), to provide funds to reduce the backlog of boarding and cleaning requirements; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Department of Housing and Community Development (Account #9910-587-902) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds to reduce the backlog of boarding and cleaning requirements. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-063
(Council Bill 05-111)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – Department of Housing and Community Development – \$1,000,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$1,000,000 to the Department of Housing and Community Development (Account #9910-587-903), to provide funds to reduce the backlog of demolition projects; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Department of Housing and Community Development (Account #9910-587-903) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds to reduce the backlog of demolition projects. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-064
(Council Bill 05-112)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – MR-Office of Information Technology – \$4,000,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$4,000,000 to the MR-Office of Information Technology (Account #9904-129-038), to provide funds to expand the placement of CCTV cameras; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$4,000,000 shall be made available to the MR-Office of Information Technology (Account #9904-129-038) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds to expand the placement of CCTV cameras. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-065
(Council Bill 05-113)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
MR-Public Markets – \$800,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$800,000 to the MR-Public Markets (Account #9904-129-156), to provide funds for infrastructure improvement projects in various City public markets; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$800,000 shall be made available to the MR-Public Markets (Account #9904-129-156) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds for infrastructure improvement projects in various City public markets. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor\

**CITY OF BALTIMORE
ORDINANCE 05-066
(Council Bill 05-114)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – Department of Public Works – \$2,100,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$2,100,000 to the Department of Public Works-Solid Waste (Account #9948-517-522), for the acquisition of a storage and operations facility for Solid Waste equipment; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$2,100,000 shall be made available to the Department of Public Works-Solid Waste (Account #9948-517-522) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, for the acquisition of a storage and operations facility for Solid Waste equipment. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-067
(Council Bill 05-115)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Public Works – \$4,000,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$4,000,000 to the Department of Public Works-General Services (Account #9916-194-190), to provide funds for replacing a portion of the City's aging fleet; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$4,000,000 shall be made available to the Department of Public Works-General Services (Account #9916-194-190) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds for replacing a portion of the City's aging fleet. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-068
(Council Bill 05-116)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – Department of Public Works – \$3,000,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$3,000,000 to the Department of Public Works-General Services (Account #9916-194-160), to provide funds for improving school facilities maintenance; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$3,000,000 shall be made available to the Department of Public Works-General Services (Account #9916-194-160) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds for improving school facilities maintenance. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-069
(Council Bill 05-117)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – Department of Recreation and Parks – \$600,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$600,000 to the Department of Recreation and Parks (Account #9938-475-713), to provide funds to replace aging mowing equipment throughout the City parks; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$600,000 shall be made available to the Department of Recreation and Parks (Account #9938-475-713) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds to replace aging mowing equipment throughout the City parks. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-070
(Council Bill 05-118)**

AN ORDINANCE CONCERNING

Supplementary General Fund Capital Appropriation – Department of Recreation and Parks – \$1,000,000

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$1,000,000 to the Department of Recreation and Parks (Account #9938-477-033), to provide funds for maintenance and repair of recreation center roofs and HVAC systems; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Department of Recreation and Parks (Account #9938-477-033) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds for maintenance and repair of recreation center roofs and HVAC systems. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-071
(Council Bill 05-119)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Enoch Pratt Free Library – \$30,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$30,000 to the Enoch Pratt Free Library – Program 450 (Administration & Technical Services), to provide funds for a new marketing campaign; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$30,000 shall be made available to the Enoch Pratt Free Library – Program 450 (Administration & Technical Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funds for a new marketing campaign. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-072
(Council Bill 05-120)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – Enoch Pratt Free Library – \$500,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$500,000 to the Enoch Pratt Free Library – Program 452 (Neighborhood Services), to provide funds to purchase additional books; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the Enoch Pratt Free Library – Program 452 (Neighborhood Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding to purchase additional books. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-073
(Council Bill 05-121)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – Baltimore City Department of Health – \$500,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$500,000 to the Baltimore City Department of Health – Program 304 (Health Promotion and Disease Prevention), to provide funds for AIDS prevention programs targeted toward youths; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the Baltimore City Department of Health – Program 304 (Health Promotion and Disease Prevention) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funds for AIDS prevention programs targeted toward youths. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-074
(Council Bill 05-122)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – Baltimore City Health Department – \$1,000,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$1,000,000 to the Baltimore City Health Department – Program 308 (Maternal and Child Health), to provide funds for Operation Safe Kids; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Baltimore City Health Department – Program 308 (Maternal and Child Health) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funds for Operation Safe Kids. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-075
(Council Bill 05-123)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – Department of Housing and Community Development – \$700,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$700,000 to the Department of Housing and Community Development – Program 585 (Baltimore Development Corporation), to provide funds for a fire escape at 7 East Redwood Street; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$700,000 shall be made available to the Department of Housing and Community Development – Program 585 (Baltimore Development Corporation) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for a fire escape at 7 East Redwood Street. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-076
(Council Bill 05-124)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – MR-Art and Cultural Grants – \$750,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$750,000 to the MR-Art and Cultural Grants – Program 493 (Art and Cultural Grants), to provide funds for grants to cultural institutions; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$750,000 shall be made available to the MR-Art and Cultural Grants – Program 493 (Art and Cultural Grants) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for grants to cultural institutions. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-077
(Council Bill 05-125)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Office of Children, Youth and Families – \$100,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$100,000 to the MR-Office of Children, Youth and Families – Program 350 (Children, Youth and Families), to provide funds for faith-based mentoring programs; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$100,000 shall be made available to the MR-Office of Children, Youth and Families – Program 350 (Children, Youth and Families) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funds for faith-based mentoring programs. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-078
(Council Bill 05-126)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Civic Promotion – \$500,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$500,000 to the MR-Civic Promotion – Program 590 (Civic Promotion), to provide funding for a Convention Center Opportunity Fund; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the MR-Civic Promotion – Program 590 (Civic Promotion) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for a Convention Center Opportunity Fund. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-079
(Council Bill 05-127)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – MR-Miscellaneous General Expenses – \$3,400,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$3,400,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funds for after school programs/community schools; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$3,400,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funds for after school programs/community schools. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-080
(Council Bill 05-128)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – MR-Office of Employment Development – \$250,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$250,000 to the MR-Office of Employment Development – Program 639 (Special Services), to provide funds for an Ex Offender Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$250,000 shall be made available to the MR-Office of Employment Development – Program 639 (Special Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for an Ex Offender Program. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-081
(Council Bill 05-129)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Office of Employment Development – \$500,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$500,000 to the MR-Office of Employment Development – Program 639 (Special Services), to provide funds for the Summer Jobs Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On April 27, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the MR-Office of Employment Development – Program 639 (Special Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for the Summer Jobs Program. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-082
(Council Bill 05-132)**

AN ORDINANCE CONCERNING

Franchise – Private Bridgeway Above and Across the Bed of Mason Lord Drive

FOR the purpose of granting a franchise to Dome Corporation to construct, use, and maintain a private pedestrian bridgeway above and across Mason Lord Drive right-of-way, subject to certain terms, conditions, and reservations; and providing for a special effective date.

BY authority of
Article VIII - Franchises
Baltimore City Charter
(1996 Edition)

Recitals

Ordinance 86-705 established the Francis Scott Key Medical Center Planned Unit Development (PUD) and Development Plan. The PUD was last amended by Ordinance 02-388, which changed the name of the PUD to the Johns Hopkins Bayview Campus, accommodated a new National Institute of Health building, and increased the total developable square footage allowed.

The PUD area includes approximately 130.4 acres of land bounded by Eastern Avenue, I-895 Harbor Tunnel Thruway, and Lombard Street.

As part of the Development Plan, a new 708 space parking garage is to be built on the east side of Mason Lord Drive, directly across from an existing hospital building on the west side of Mason Lord Drive. The parking garage will provide parking for visitors and staff.

A pedestrian bridgeway will connect the new parking garage facility to the existing hospital, above and across a portion of the Mason Lord Drive right-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That a franchise or right is granted to Dome Corporation, its tenants, successors, and assigns (collectively, the "Grantee") to construct, use, and maintain, at Grantee's own cost and expense, and subject to the terms and conditions of this Ordinance, a private bridgeway that connects a parking garage on the east side of Mason Lord Drive to a hospital building located on the west side of Mason Lord Drive, and located within an aerial easement area more particularly described as follows:

Beginning for the same at a point located on the westerly right-of-way line of Mason Lord Drive, 52 feet wide (formerly Benton Drive), said point being measured North 88 degrees 23 minutes 07 seconds West 26.00 feet from the centerline Station 46+88.35 of said road, thence binding on said westerly right-of-way line, referring all courses to the Baltimore City Survey Control System, the vertical limits of the following courses being elevation 148.75 feet to elevation 164.75 feet (1) Northerly by a curve to the left 15.03 feet along the arc, to a point located South 87 degrees 46 minutes 10 seconds West 26.00 feet from the centerline Station 46+71.57 of said road, said curve having a radius of 224.00 feet and a chord of North 00 degrees 18 minutes 28 seconds West 15.03 feet, thence crossing over said road (2) North 86 degrees 02 minutes 20 seconds East 52.02 feet to a point located on the easterly right-of-way line of said road, said point being located North 87 degrees 26 minutes 35 seconds East 26.00 feet from the centerline Station 46+70.14 of said road, thence binding on said easterly right-of-way line (3) Southerly by a curve to the right 15.02 feet along the arc, to a point located South 89 degrees 26 minutes 18 seconds East 26.00 feet from the centerline Station 46+83.75 of said road, said curve having a radius of 276.00 feet and a chord of South 00 degrees 59 minutes 51 seconds East 15.02 feet, thence crossing over said road (4) South 86 degrees 02 minutes 20 seconds West 52.20 feet to the point of beginning.

The easement shall be approximately 52 feet long by 15 feet wide and shall be approximately 16 feet above the bed of Mason Lord Drive at its lowest point.

Containing 780 square feet in plane, or 0.0179 acres of land.

Being an easement crossing over a part of Mason Lord Drive, formerly Benton Drive, as shown on a plat entitled "Fourth Amended Record Plat F.S.K. Land Corporation Johns Hopkins Bayview Research Campus", which is recorded among the Land Records of Baltimore City as Plat No. SEB 3487.

SECTION 2. AND BE IT FURTHER ORDAINED, That to become effective, the franchise or right granted by this Ordinance (the "Franchise") must be executed and enjoyed by the Grantee within 6 months after the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as compensation for the Franchise, the Grantee shall pay to the Mayor and City Council of Baltimore a franchise charge of \$8,229 a year, subject to increase or decrease as provided in Section 5 of this Ordinance. The franchise charge must be paid annually, at least 30 days before the initial and each renewal term of the Franchise.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The initial term of the Franchise is 1 year, commencing on the effective date of this Ordinance. Unless sooner terminated as provided in this Ordinance, the Franchise will automatically renew, without any action by either the Mayor and City Council of Baltimore or the Grantee, for 24 consecutive 1-year renewal terms. Except as otherwise provided in this Ordinance, each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years.

(b) Either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may cancel the Franchise as at the end of the initial or any renewal term by giving written notice of cancellation to the other at least 90 days before the end of that term.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the annual franchise charge by giving written notice of the increase or decrease to the Grantee at least 150 days before the end of the original or renewal term immediately preceding the renewal term to which the increase or decrease will first apply. The new franchise charge will apply to all subsequent annual renewal terms, unless again increased or decreased in accordance with this section.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore expressly reserves the right at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control over and in respect to all matters connected with the Franchise and not inconsistent with the terms of this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Grantee, at its own cost and expense, shall maintain in good condition and in compliance with all applicable laws and regulations of Baltimore City, all structures for which the Franchise is granted. The maintenance of these structures shall be at all times subject to the regulation and control of the Commissioner of Housing and Community Development and the Director of Public Works. If any structure for which the Franchise is granted must be readjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs and expenses in connection with the readjustment, relocation, protection, or support.

SECTION 8. AND BE IT FURTHER ORDAINED, That at the option of the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, the Grantee's failure to comply with any term or condition of this Ordinance constitutes a forfeiture of the Franchise. Immediately on written notice to the Grantee of the exercise of this option, the Franchise terminates. Once so terminated, only an ordinance of the Mayor and City Council of Baltimore may waive the forfeiture or otherwise reinstate the Franchise.

SECTION 9. AND BE IT FURTHER ORDAINED, That at any time and without prior notice, the Mayor of Baltimore City may revoke the Franchise if, in the Mayor's judgment, the public interest, welfare, safety, or convenience so requires. Immediately on written notice to the Grantee of the exercise of this right, the Franchise terminates.

SECTION 10. AND BE IT FURTHER ORDAINED, That on cancellation, expiration, forfeiture, revocation, or other termination of the Franchise for any reason, the Grantee shall remove all structures for which the Franchise is granted. The removal of these structures shall be (i) undertaken at the cost and expense of the Grantee, without any compensation from the Mayor and City Council of Baltimore, (ii) made in a manner satisfactory to the Commissioner of Housing and Community Development and the Director of Public Works, and (iii) completed within the time specified in writing by the Director of Public Works.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Grantee is liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against all suits, losses, costs, claims, damages, or expenses to which the Mayor and City Council of Baltimore is at any time subjected on account of, or in any way resulting from, (i) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of any of the structures for which the Franchise is granted, or (ii) any failure of the Grantee, its officers, employees, or agents, to perform promptly and properly any duty or obligation imposed on the Grantee by this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-083
(Council Bill 05-134)**

AN ORDINANCE CONCERNING

**Franchise – Private Heating and Cooling Mains and Electrical and
Communications Ductbanks under South Clinton Street**

FOR the purpose of granting a franchise to Canton Crossing Park, LLC, to construct, use, and maintain 3 private electrical and communications ductbanks and 4 private heating and cooling water mains under the South Clinton Street right-of-way, subject to certain terms, conditions, and reservations; and providing for a special effective date.

BY authority of

Article VIII - Franchises
Baltimore City Charter
(1996 Edition)

Recitals

Ordinance 01-192 designated an Industrial Planned Unit Development (PUD) and approved a Development Plan for Canton Crossing, LLC, and was last amended by Ordinance 04-873. The PUD area is generally bounded by Boston Street, the Inner Harbor (including riparian rights), South Haven Street, and Baylis Street.

The PUD is developing multiple structures in phases that will include a mix of uses, including office, residential, and retail spaces, and the potential for a cruise ship terminal.

A central heating and cooling plant will be constructed on the southeast corner of South Clinton Street and Danville Avenue. Heating and cooling mains and electrical and communications ductbanks will supply an office tower located on the west side of South Clinton Street.

Portions of the private heating and cooling mains and ductbanks will be located beneath the surface of the South Clinton Street right-of-way. The heating and cooling mains will be located and begin 4 feet beneath the surface of the public right-of-way, and the private ductbanks will be located and begin 3.5 feet beneath the surface of the roadway portion of the right-of-way and 4 feet beneath the surface of the sidewalk portion of the right-of-way.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That a franchise or right is granted to Canton Crossing Park, LLC, its tenants, successors, and assigns (collectively, the “Grantee”) to construct, use, and maintain, at Grantee’s own cost and expense, and subject to the terms and conditions of this Ordinance, 4 private heating and cooling mains and 3 electrical and communications ductbanks that will connect a heating and cooling plant on the east side of Clinton Street to an office building on the west side of South Clinton Street, by crossing beneath the South Clinton Street right-of-way, and more particularly described as follows:

One 12-inch Steel Hot Water Supply main, beginning at a point located at the Western edge of the South Clinton Street Right-of-Way, 878 feet South of the intersection with Boston Street, proceed North 87 degrees 08 minutes 24 inches East, 70 feet to the intersection with the Eastern Right-of-Way of South Clinton Street.

One 12-inch Steel Hot Water Return main, beginning at a point located at the Western edge of the South Clinton Street Right-of-Way, 881 feet South of the intersection with Boston Street, proceed North 87 degrees 08 minutes 24 inches East, 70 feet to the intersection with the Eastern Right-of-Way of South Clinton Street.

One 20-inch Steel Chilled Water Return main, beginning at a point located at the Western edge of the South Clinton Street Right-of-Way, 884 feet South of the intersection with Boston Street, proceed North 87 degrees 08 minutes 24 inches East, 70 feet to the intersection with the Eastern Right-of-Way of South Clinton Street.

One 20-inch Steel Chilled Water Supply main, beginning at a point located at the Western edge of the South Clinton Street Right-of-Way, 887 feet South of the intersection with Boston Street, proceed North 87 degrees 08 minutes 24 inches East, 70 feet to the intersection with the Eastern Right-of-Way of South Clinton Street.

One 9-Way HV Electric Ductbank with 5-inch Conduit, beginning at a point located at the Western edge of the South Clinton Street Right-of-Way, 897 feet South of the intersection with Boston Street, proceed North 87 degrees 08 minutes 24 inches East, 70 feet to the intersection with the Eastern Right-of-Way of South Clinton Street.

One 9-Way HV Electric Ductbank with 5-inch Conduit, beginning at a point located at the Western edge of the South Clinton Street Right-of-Way, 900 feet South of the intersection with Boston Street, proceed North 87 degrees 08 minutes 24 inches East, 71 feet to the intersection with the Eastern Right-of-Way of South Clinton Street.

One 4-Way Telecommunication Ductbank with 4-inch Conduit, beginning at a point located at the Western edge of the South Clinton Street Right-of-Way, 906 feet South of the intersection with Boston Street, proceed North 87 degrees 08 minutes 24 inches East, 72 feet to the intersection with the Eastern Right-of-Way of South Clinton Street.

SECTION 2. AND BE IT FURTHER ORDAINED, That to become effective, the franchise or right granted by this Ordinance (the “Franchise”) must be executed and enjoyed by the Grantee within 6 months after the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That as compensation for the Franchise, the Grantee shall pay to the Mayor and City Council of Baltimore a franchise charge of \$5,902.92 a year, subject to increase or decrease as provided in Section 5 of this Ordinance. The franchise charge must be paid annually, at least 30 days before the initial and each renewal term of the Franchise.

SECTION 4. AND BE IT FURTHER ORDAINED, That:

(a) The initial term of the Franchise is 1 year, commencing on the effective date of this Ordinance. Unless sooner terminated as provided in this Ordinance, the Franchise will automatically renew, without any action by either the Mayor and City Council of Baltimore or the Grantee, for 24 consecutive 1-year renewal terms. Except as otherwise provided in this Ordinance, each renewal term will be on the same terms and conditions as the initial term. The maximum duration for which the Franchise may operate, including the initial and all renewal terms, is 25 years.

(b) Either the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, or the Grantee may cancel the Franchise as at the end of the initial or any renewal term by giving written notice of cancellation to the other at least 90 days before the end of that term.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore, acting by and through the Board of Estimates, may increase or decrease the annual franchise charge by giving written notice of the increase or decrease to the Grantee at least 150 days before the end of the original or renewal term immediately preceding the renewal term to which the increase or decrease will first apply. The new franchise charge will apply to all subsequent annual renewal terms, unless again increased or decreased in accordance with this section.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore expressly reserves the right at all times to exercise, in the interest of the public, full municipal superintendence, regulation, and control over and in respect to all matters connected with the Franchise and not inconsistent with the terms of this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Grantee, at its own cost and expense, shall maintain in good condition and in compliance with all applicable laws and regulations of Baltimore City, all structures for which the Franchise is granted. The maintenance of these structures shall be at all times subject to the regulation and control of the Commissioner of Housing and Community Development and the Director of Public Works. If any structure for which the Franchise is granted must be readjusted, relocated, protected, or supported to accommodate a public improvement, the Grantee shall pay all costs and expenses in connection with the readjustment, relocation, protection, or support.

SECTION 8. AND BE IT FURTHER ORDAINED, That at the option of the Mayor and City Council of Baltimore, acting by and through the Director of Public Works, the Grantee's failure to comply with any term or condition of this Ordinance constitutes a forfeiture of the Franchise. Immediately on written notice to the Grantee of the exercise of this option, the Franchise terminates. Once so terminated, only an ordinance of the Mayor and City Council of Baltimore may waive the forfeiture or otherwise reinstate the Franchise.

SECTION 9. AND BE IT FURTHER ORDAINED, That at any time and without prior notice, the Mayor of Baltimore City may revoke the Franchise if, in the Mayor's judgment, the public interest, welfare, safety, or convenience so requires. Immediately on written notice to the Grantee of the exercise of this right, the Franchise terminates.

SECTION 10. AND BE IT FURTHER ORDAINED, That on cancellation, expiration, forfeiture, revocation, or other termination of the Franchise for any reason, the Grantee shall remove all structures for which the Franchise is granted. The removal of these structures shall be (i) undertaken at the cost and expense of the Grantee, without any compensation from the Mayor and City Council of Baltimore, (ii) made in a manner satisfactory to the

Commissioner of Housing and Community Development and the Director of Public Works, and (iii) completed within the time specified in writing by the Director of Public Works.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Grantee is liable for and shall indemnify and save harmless the Mayor and City Council of Baltimore against all suits, losses, costs, claims, damages, or expenses to which the Mayor and City Council of Baltimore is at any time subjected on account of, or in any way resulting from, (i) the presence, construction, use, operation, maintenance, alteration, repair, location, relocation, or removal of any of the structures for which the Franchise is granted, or (ii) any failure of the Grantee, its officers, employees, or agents, to perform promptly and properly any duty or obligation imposed on the Grantee by this Ordinance.

SECTION 12. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-084
(Council Bill 05-138)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Public Works – \$722,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$722,000 to the Department of Public Works - 3000-3002 Druid Hill Park Drive (Account #9916-194-161), to provide funds for roof replacement and interior repairs; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Fiscal 2004 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$722,000 shall be made available to the Department of Public Works - 3000-3002 Druid ~~HH~~ Park Drive (Account #9916-194-161) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funds for roof replacement and interior repairs. The source of revenue for this appropriation is from Fiscal 2004 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-085
(Council Bill 05-139)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Public Works – \$390,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$390,000 to the Department of Public Works - Hopkins Plaza (Account #9916-197-808), to provide for additional project funding; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$390,000 shall be made available to the Department of Public Works - Hopkins Plaza (Account #9916-197-808) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide for additional project funding. The source of

revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-086
(Council Bill 05-140)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Recreation and Parks – \$600,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$600,000 to the Department of Recreation and Parks - War Memorial Plaza (Account #9938-474-666), to provide additional project funding; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$600,000 shall be made available to the Department of Recreation and Parks - War Memorial Plaza (Account #9938-474-666) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide additional project funding. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-087
(Council Bill 05-141)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Capital Appropriation –
Department of Public Works – \$215,000**

FOR the purpose of providing a Supplementary General Fund Capital Appropriation in the amount of \$215,000 to the Department of Public Works – Program (Account #9958-525-514), to provide funding for a soil remediation project at 2000 Race Street; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2004 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$215,000 shall be made available to the Department of Public Works (Account #9958-525-514) as a Supplementary General Fund Capital Appropriation for Fiscal Year 2005, to provide funding for a contaminated soil remediation project at 2000 Race Street. The source of revenue for this appropriation is from the Fiscal 2004 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-088
Council Bill 05-142**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Educational Grants – \$200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$200,000 to the MR-Educational Grants – Program 446 (Educational Grants), to provide funding for an increase in Baltimore Reads Fiscal 2006 grant amount; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Net Parking Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the MR-Educational Grants – Program 446 (Educational Grants) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for an increase in Baltimore Reads Fiscal 2006 grant amount. The source of revenue for this appropriation is from Net Parking Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-089
(Council Bill 05-143)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Fire Department – \$2,300,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$2,300,000 to the Fire Department – Program 212 (Fire Suppression), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Net Parking Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$2,300,000 shall be made available to the Fire Department – Program 212 (Fire Suppression) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses for Fiscal 2005. The source of revenue for this appropriation is from Net Parking Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-090
(Council Bill 05-144)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Fire Department – \$3,300,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$3,300,000 to the Fire Department – Program 319 (Ambulance Service), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Net Parking Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$3,300,000 shall be made available to the Fire Department – Program 319 (Ambulance Service) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from Net Parking Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-091
(Council Bill 05-145)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Baltimore City Health Department – \$200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$200,000 to the Baltimore City Health Department – Program 307 (Mental Health Services), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the Baltimore City Health Department – Program 307 (Mental Health Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-092
(Council Bill 05-146)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Baltimore City Health Department – \$200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$200,000 to the Baltimore City Health Department – Program 310 (School Health Services), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the Baltimore City Health Department – Program 310 (School Health Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-093
(Council Bill 05-147)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Police Department – \$2,000,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$2,000,000 to the Police Department – Program 200 (Administrative Direction and Control), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$2,000,000 shall be made available to the Police Department – Program 200 (Administrative Direction and Control) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-094
(Council Bill 05-148)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Police Department – \$5,000,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$5,000,000 to the Police Department – Program 201 (Field Operations Bureau), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$5,000,000 shall be made available to the Police Department – Program 201 (Field Operations Bureau) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses for Fiscal 2005. The source of revenue for this appropriation is from Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-095
(Council Bill 05-149)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Police Department – \$900,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$900,000 to the Police Department – Program 202 (Investigations), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$900,000 shall be made available to the Police Department – Program 202 (Investigations) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-096
(Council Bill 05-150)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Police Department – \$1,000,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$1,000,000 to the Police Department – Program 204 (Services Bureau), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,000,000 shall be made available to the Police Department – Program 204 (Services Bureau) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-097
(Council Bill 05-151)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$3,200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$3,200,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes (\$2,500,000) and Income Tax (\$700,000) in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$3,200,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from Transfer Taxes (\$2,500,000) and Income Tax (\$700,000) in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-098
(Council Bill 05-152)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Operating Appropriation –
Baltimore City Police Department – \$239,695**

FOR the purpose of providing a Supplementary Federal Fund Operating Appropriation in the amount of \$239,695 to the Baltimore City Police Department – Program 202 (Criminal Investigation), to provide funding to identify and test backlogged forensic DNA casework samples; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Office of Justice Programs in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$239,695 shall be made available to the Baltimore City Police Department – Program 202 (Criminal Investigation) as a Supplementary Federal Fund Operating Appropriation for Fiscal Year 2005, to provide funding to identify and test backlogged forensic DNA casework samples. The source of revenue for this appropriation is a grant from the Office of Justice Programs in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-099
(Council Bill 05-153)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Operating Appropriation –
Baltimore City Police Department – \$180,218**

FOR the purpose of providing a Supplementary Federal Fund Operating Appropriation in the amount of \$180,218 to the Baltimore City Police Department – Program 202 (Criminal Investigation), to provide funding to purchase mobile and stationary drying equipment as well as professional storage lockers that prepare and preserve DNA evidence; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Office of Justice Programs in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$180,218 shall be made available to the Baltimore City Police Department – Program 202 (Criminal Investigation) as a Supplementary Federal Fund Operating Appropriation for Fiscal Year 2005, to provide funding to purchase mobile and stationary drying equipment as well as professional storage lockers that prepare and preserve DNA evidence. The source of revenue for this appropriation is a grant from the Office of Justice Programs in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-100
(Council Bill 05-154)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Department of Public Works – \$200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$200,000 to the Department of Public Works – Program 193 (Facilities Management), to provide funding for the renovations of the Curran Room and City Council Chambers; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2004 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the Department of Public Works – Program 193 (Facilities Management) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for the renovations in the Curran Room and City Council Chambers. The source of revenue for this appropriation is from the Fiscal 2004 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-101
(Council Bill 05-155)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Department of Transportation – \$200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$200,000 to the Department of Transportation – Program 503 (Engineering and Construction), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Income Tax in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the Department of Transportation – Program 503 (Engineering and Construction) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from Income Tax in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-102
(Council Bill 05-156)**

AN ORDINANCE CONCERNING

**Supplementary Motor Vehicle Fund Operating Appropriation –
Department of Transportation – \$900,000**

FOR the purpose of providing a Supplementary Motor Vehicle Fund Operating Appropriation in the amount of \$900,000 to the Department of Transportation – Program 195 (Towing), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2004 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$900,000 shall be made available to the Department of Transportation – Program 195 (Towing) as a Supplementary Motor Vehicle Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from the Fiscal 2004 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-103
(Council Bill 05-157)**

AN ORDINANCE CONCERNING

**Supplementary Motor Vehicle Fund Operating Appropriation –
Department of Transportation – \$5,200,000**

FOR the purpose of providing a Supplementary Motor Vehicle Fund Operating Appropriation in the amount of \$5,200,000 to the Department of Transportation – Program 501 (Highway Maintenance), to provide funding for additional operating expenses; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2004 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$5,200,000 shall be made available to the Department of Transportation – Program 501 (Highway Maintenance) as a Supplementary Motor Vehicle Fund Operating Appropriation for Fiscal Year 2005, to provide funding for additional operating expenses. The source of revenue for this appropriation is from the Fiscal 2004 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-104
(Council Bill 05-158)**

AN ORDINANCE CONCERNING

**Supplementary Motor Vehicle Fund Debt Service Appropriation –
MR-Debt Service – \$1,410,000**

FOR the purpose of providing a Supplementary Motor Vehicle Fund Debt Service Appropriation in the amount of \$1,410,000 to the MR-Debt Service – Program 123 (General Debt Service), to provide funding for additional debt service expenses; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the Fiscal 2004 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On May 4, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$1,410,000 shall be made available to the MR-Debt Service – Program 123 (General Debt Service) as a Supplementary Motor Vehicle Fund Debt Service Appropriation for Fiscal Year 2005, to provide funding for additional debt service expenses. The source of revenue for this appropriation is from the Fiscal 2004 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-105
(Council Bill 05-168)**

AN ORDINANCE CONCERNING

**City Streets – Opening –
Orleans Street, Extending from Wolfe Street Westerly 857 Feet,
More or Less, to Broadway**

FOR the purpose of condemning and opening Orleans Street, extending from Wolfe Street westerly 857 feet, more or less, to Broadway, as shown on Plat 346-A-52 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open Orleans Street, extending from Wolfe Street westerly 857 feet, more or less, to Broadway, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the north side of Orleans Street, as originally laid out 66 feet wide and the west side of Wolfe Street, 70 feet wide, and running thence binding on the west side of said Wolfe Street, Southerly 66.0 feet to intersect the south side of said Orleans Street; thence binding on the south side of said Orleans Street, Westerly 856.9 feet, more or less, to intersect the east side of Broadway 132 feet wide; thence binding on the east side of said Broadway, Northerly 66.0 feet, to intersect the north side of said Orleans Street; and thence binding on the north side of said Orleans Street, Easterly 856.8 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-52, prepared by the Survey Control Section and filed on April 28, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of Orleans Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-106
(Council Bill 05-169)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
Orleans Street**

FOR the purpose of condemning and closing of (1) subterranean rights under Orleans Street, 290.79 feet east of Broadway and extending easterly 40.00 feet and (2) air rights over Orleans Street 326.46 feet east of Broadway and extending easterly 22.83 feet, as shown on Plat 346-A-52A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close (1) subterranean rights under Orleans Street, 290.79 feet east of Broadway and extending easterly 40.00 feet and (2) air rights over Orleans Street 326.46 feet east of Broadway and extending easterly 22.83 feet, and more particularly described as follows:

Beginning for Parcel No. 1 at a point on the south side of Orleans Street, 116 feet wide, distant North 87° 04' 30" East 290.79 feet, measured along the south side of said Orleans Street from the east side of Broadway, 132 feet wide, and at a horizontal plane having an elevation of 82.00 feet and descending to an elevation of unlimited depth, and running thence by a straight line drawn at a right angle to the south side of said Orleans Street, North 02° 55' 30" West 116.00 feet to intersect the north side of said Orleans Street; thence binding on the north side of said Orleans Street, North 87° 04' 30" East 40.00 feet; thence by a straight line drawn at a right angle to the north side of said Orleans Street, South 02° 55' 30" East 116.00 feet to intersect the south side of said Orleans Street, and thence binding on the south side of said Orleans Street, South 87° 04' 30" West 40.00 feet to the place of beginning.

Beginning for Parcel No. 2 at a point on the south side of Orleans Street, 116 feet wide, distant North 87° 04' 30" East 326.46 feet, measured along the south side of said Orleans Street, from the east side of Broadway, 132 feet wide, and at a horizontal plane having an elevation of 113.00 feet, and ascending to an elevation of unlimited heights, and running thence by a straight line drawn at a right angle, to the south side of said Orleans Street, North 02° 55' 30" West 116.00 feet to intersect the north side of said Orleans Street; thence binding on the north side of said Orleans Street, North 87° 04' 30" East 22.83 feet; thence by a straight line drawn at a right angle to the north side of said Orleans Street, South 02° 55' 30" East 116.00 feet to intersect the south side of said Orleans Street, and thence binding on the south side of said Orleans Street, South 87° 04' 30" West 22.83 feet to the place of beginning.

As delineated on Plat 346-A-52A, prepared by the Survey Control Section and filed on April 28, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the air and subterranean rights of Orleans Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-107
(Council Bill 05-175)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Baltimore City Health Department – \$200,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$200,000 to the Baltimore City Health Department – Program 304 (Health Promotion and Disease Prevention), to provide funds for AIDS prevention programs targeted toward youths; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 1, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$200,000 shall be made available to the Baltimore City Health Department – Program 304 (Health Promotion and Disease Prevention) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funds for AIDS prevention programs targeted toward youths. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-108
(Council Bill 05-176)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$500,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$500,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funds for the Baltimore Community Foundation's A-Teams Initiative; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Transfer Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 1, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funds for the Baltimore Community Foundation’s A-Teams Initiative. The source of revenue for this appropriation is from Transfer Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O’MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-109
(Council Bill 05-177)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – MR-Office of Employment Development – \$500,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$500,000 to the MR-Office of Employment Development – Program 639 (Special Services), to provide funds for the Summer Jobs Program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 1, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the MR-Office of Employment Development – Program 639 (Special Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for the Summer Jobs Program. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-110
(Council Bill 05-187)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Baltimore City Council – \$472,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$472,000 to the Baltimore City Council – Program 100 (City Legislation), to provide funds to implement single member district service strategies; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 8, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$472,000 shall be made available to the Baltimore City Council – Program 100 (City Legislation) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funds to implement single member district service strategies. The source of revenue for this appropriation is Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-111
(Council Bill 05-188)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$500,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$500,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the Youth Places program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 8, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$500,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for the Youth Places program. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-112
(Council Bill 05-189)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Office of Employment Development – \$250,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$250,000 to the MR-Office of Employment Development – Program 639 (Special Services), to provide funding for summer youth jobs; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 8, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$250,000 shall be made available to the MR-Office of Employment Development – Program 639 (Special Services) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for summer youth jobs. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-113
(Council Bill 05-190)**

AN ORDINANCE CONCERNING

Supplementary General Fund Operating Appropriation – MR-Miscellaneous General Expenses – \$250,000

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$250,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide funding for the After School Institute program; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from Recordation Taxes in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2005 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2005 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 8, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$250,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2005, to provide funding for the After School Institute program. The source of revenue for this appropriation is from Recordation Taxes in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2005.

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

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-114
(Council Bill 05-077)**

AN ORDINANCE CONCERNING

Rezoning – 1701 Odell Avenue

FOR the purpose of changing the zoning for the property known as 1701 Odell Avenue (Ward 26, Section 20, Block 6220, Lot 9), as outlined in red on the accompanying amended plat, from the R-6 Zoning District to the M-1-2 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 40 and 50
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 40 and 50 of the Zoning District Maps are amended by changing from the R-6 Zoning District to the M-1-2 Zoning District the property known as 1701 Odell Avenue (Ward 26, Section 20, Block 6220, Lot 9), as outlined in red on the amended plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 10, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-115
(Council Bill 05-078)**

AN ORDINANCE CONCERNING

Rezoning – 7200 Pulaski Highway

FOR the purpose of changing the zoning for the property known as 7200 Pulaski Highway (Ward 26, Section 20, Block 6220, Lot 28), as outlined in red on the accompanying amended plat, from the R-6 Zoning District to the B-2-2 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 40 and 50
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 40 and 50 of the Zoning District Maps are amended by changing from the R-6 Zoning District to the B-2-2 Zoning District the property known as 7200 Pulaski Highway (Ward 26, Section 20, Block 6220, Lot 28), as outlined in red on the amended plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 10, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-116
(Council Bill 05-079)**

AN ORDINANCE CONCERNING

**Rezoning – East Side of Odell Avenue at the
Northeast Corner of Hilltop Avenue**

FOR the purpose of changing the zoning for the property known as the east side of Odell Avenue at the northeast corner of Hilltop Avenue (Ward 26, Section 20, Block 6220, Lot 17), as outlined in red on the accompanying amended plat, from the R-6 Zoning District to the M-1-2 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 40 and 50
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 40 and 50 of the Zoning District Maps are amended by changing from the R-6 Zoning District to the M-1-2 Zoning District the property known as the east side of Odell Avenue at the northeast corner of Hilltop Avenue (Ward 26, Section 20, Block 6220, Lot 17), as outlined in red on the amended plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 10, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-117
(Council Bill 05-080)**

AN ORDINANCE CONCERNING

Rezoning – 1601 62nd Street

FOR the purpose of changing the zoning for the property known as 1601 62nd Street (Ward 26, Section 20, Block 6220, Lot 030), as outlined on the accompanying amended plat, by changing the portions of the property outlined in red from the R-6 Zoning District to the M-1-2 Zoning District, by changing the portions of the property outlined in blue from the B-1-2 Zoning District to the M-1-2 Zoning District, and by changing the portion of the property outlined in orange from the R-6 Zoning District to the B-2-2 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 40 and 50
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 40 and 50 of the Zoning District Maps are amended by changing from the R-6 Zoning District to the M-1-2 Zoning District the portions of the property known as 1601 62nd Street (Ward 26, Section 20, Block 6220, Lot 030), as outlined in red on the amended plat accompanying this Ordinance, by changing from the B-1-2 Zoning District to the M-1-2 Zoning District the portions of the property known as 1601 62nd Street (Ward 26, Section 20, Block 6220, Lot 030), as outlined in blue on the amended plat accompanying this Ordinance, and by changing from the R-6 Zoning District to the B-2-2 Zoning District the portion of the property known as 1601 62nd Street (Ward 26, Section 20, Block 6220, Lot 030), as outlined in orange on the amended plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 10, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-118
(Council Bill 05-135)**

AN ORDINANCE CONCERNING

**Residential Permit Parking Program –
Oakenshawe Residential Parking Area**

FOR the purpose of modifying the parking limitations within the Oakenshawe Residential Parking Area; correcting, clarifying, and conforming certain language; providing for a special effective date; and generally relating to the Residential Permit Parking Program.

BY repealing and reordaining, with amendments

Article 31 - Transit and Traffic
Section(s) 10-1(i) and 10-7
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 31. Transit and Traffic

Subtitle 10. Residential Permit Parking Program

§ 10-1. Definitions.

- (i) *Residential Permit Parking Program Area; RESIDENTIAL PARKING AREA.*

“Residential Permit Parking Program Area” OR “RESIDENTIAL PARKING AREA” [shall mean] MEANS a residential area designated [as herein provided] UNDER THIS SUBTITLE [wherein] IN WHICH resident vehicles displaying a valid permit [as described herein shall be] ARE exempt from parking time restrictions established [pursuant to] UNDER this [article] SUBTITLE.

§ 10-7. Hours of operation.

- (a) *Parking restriction for nonresidents.*

- (1) Except [for permit holders] AS OTHERWISE PROVIDED IN THIS SUBSECTION, parking durations FOR NON-PERMIT HOLDERS [shall be] ARE limited to 2 hours.

- (2) IN THE RESIDENTIAL PARKING AREA KNOWN AS AREA 1 (“OAKENSHAW”), PARKING FOR NON-PERMIT HOLDERS IS LIMITED DURING ANY 1 CALENDAR DAY TO 2 HOURS IN ANY 1 OR MORE PARKING SPOTS ANYWHERE WITHIN THE RESIDENTIAL PARKING AREA.

(b) *Hours when restrictions apply.*

- (1) The hours during which parking is restricted in Residential Permit Parking Program Areas [shall be] ARE 7 a.m. to 7 p.m., weekdays only, unless the Director determines that protection from parking congestion requires an adjustment of these hours or days.
- (2) For the purpose of this determination, the same levels of parking accumulation (80%) and nonresident utilization (25%) specified in § 10-4(c) of this subtitle will be used.
- (3) [Parking shall be limited to 2 hours during] DURING this period, [except for permit holders] PARKING DURATIONS ARE LIMITED AS SPECIFIED IN SUBSECTION (A) OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after~~ the date it is enacted.

Approved August 10, 2005

MARTIN O’MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-119
(Council Bill 05-133)**

AN ORDINANCE CONCERNING

**Release of Right-of-Way – a 10-Foot Right-of-Way Granted to the
Mayor and City Council of Baltimore Through the Property
of East Harbor Marine Center, L.L.C.**

FOR the purpose of authorizing the release and surrender by the Mayor and City Council of Baltimore of all its interests in and to the 10-foot wide right-of-way heretofore granted to the City of Baltimore through the property of East Harbor Marine Center, L.L.C. The location and course of the right-of-way to be released is shown on a plat numbered BS20-25263; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and
Article II - General Powers
Section 31
Baltimore City Charter
(1996 Edition)

Recitals

By an Agreement dated July 12, 1929, and recorded among the Land Records of Baltimore City in Liber S.C.L. No. 5038, Folio 336, Canton Company of Baltimore granted to the Mayor and City Council of Baltimore the right-of-way shown on a plat numbered BS20-25263 and dated July 2, 1929, which plat is recorded with that Agreement; and

The right-of-way hereinafter described is no longer needed for public use, the public utility that had previously been therein having abandoned and/or relocated to another right-of-way that was granted to the Mayor and City Council of Baltimore.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Comptroller of Baltimore City be and is hereby authorized on the behalf of the Mayor and City Council of Baltimore to execute and deliver to the owner or owners of the land within the right-of-way hereinafter described, a release and surrender of all the interest of the City of Baltimore in the right-of-way described as follows:

Beginning for a 10-foot wide right-of-way to be extinguished at a point on the west side of Lakewood Avenue, 50 feet wide, said point of beginning also being the beginning of a Right-of-Way for Sewers and Drains as shown on a plat numbered BS20-25263 dated July 2, 1929, and attached to an agreement by and between Canton Company of Baltimore and the Mayor and City Council of Baltimore dated July 12, 1929, and recorded among the Land Records of Baltimore City in Liber S.C.L. No. 5038, Folio 336, and running thence binding in part on the west side of said Lakewood Avenue, in part on the line of the west side of said Lakewood Avenue, if projected southerly, Southerly 279 feet, more or less; thence binding on the south, west and north outlines of the right of way the 3 following courses and distances; namely, Southwesterly 11 feet, more or less, Northerly 284 feet, more or less, and Easterly 10 feet to the place of beginning.

The use of the right-of-way described hereinabove is no longer needed for public purposes.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved August 22, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-120
(Council Bill 05-167)**

AN ORDINANCE CONCERNING

Sale of Property – Orleans 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 a certain parcel of land known as (1) subterranean rights under Orleans Street, 290.79 feet, east of Broadway and (2) air rights over Orleans Street 326.46 feet, east of Broadway, and no longer needed for highway or other public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in a certain parcel of land known as (1) subterranean rights under Orleans Street, 290.79 feet, east of Broadway and (2) air rights over Orleans Street 326.46 feet, east of Broadway, and more particularly described as follows:

Beginning for Parcel No. 1 at a point on the south side of Orleans Street, 116 feet wide, distant North 87° 04' 30" East 290.79 feet, measured along the south side of said Orleans Street from the east side of Broadway, 132 feet wide, and descending from a plane having an elevation of 82.00 feet to an elevation of unlimited depth, and running thence by a straight line drawn at right angles to the south side of said Orleans Street, North 02° 55' 30" West 116.00 feet to intersect the north side of said Orleans Street; thence binding on the north side of said Orleans Street, North 87° 04' 30" East 40.00 feet; thence by a straight line drawn at right angles to the north side of said Orleans Street, South 02° 55' 30" East 116.00 feet to intersect the south side of said Orleans Street, and thence binding on the south side of said Orleans Street, South 87° 04' 30" West 40.00 feet to the place of beginning.

Beginning for Parcel No. 2 at a point on the north side of Orleans Street, 116 feet wide, distant North 87° 04' 30" East 326.46 feet, measured along the south side of said Orleans Street, from the east side of Broadway, 132 feet wide, and ascending from a plane having an elevation of 113.00 feet to unlimited heights, and running thence by a straight line drawn at a right angle, to the south side of said Orleans Street, North 02° 55' 30" West 116.00 feet, to intersect the north side of said Orleans Street; thence binding on the north side of said Orleans Street, North 87° 04' 30" East 22.83 feet; thence by a straight line drawn at a right angle to north side of said Orleans Street, South 02° 55' 30" East 116.00 feet, to intersect the south side of said Orleans Street, and thence binding on the south side of said Orleans Street, South 87° 04' 30" West 22.83 feet to the place of beginning.

Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be abandoned, over the entire hereinabove described parcel of land.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved August 22, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-121
(Council Bill 05-178)**

AN ORDINANCE CONCERNING

Health – Animal Waste

FOR the purpose of clarifying and expanding requirements for the removal of animal waste; requiring the possession of certain ~~devices~~ means for the removal and sanitary disposal of animal waste; providing for certain exceptions; and generally relating to the duties of an owner, keeper, or other person with custody of an animal.

BY repealing and reordaining, with amendments

Article - Health
Section(s) 10-313
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Health

§ 10-313. Animal waste.

(A) IN GENERAL.

[The] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE owner, [or] keeper, OR OTHER PERSON HAVING CUSTODY of [any] AN animal must:

- (1) HAVE IN HIS OR HER POSSESSION A ~~DEVICE~~ MEANS FOR THE REMOVAL AND SANITARY DISPOSAL OF THE ANIMAL’S FECES; AND
- (2) IMMEDIATELY remove all [excretions] FECES left by the animal:
 - (I) on THAT PERSON’S OR ANY OTHER PERSON’S PRIVATE PROPERTY; OR
 - (II) ON ANY PUBLIC PROPERTY, INCLUDING [a public walk, recreation area,] ANY STREET, SIDEWALK, FOOT PATH, MEDIAN, GUTTER, ALLEY, PARK, OR RECREATION AREA [or private property].

(B) EXCEPTIONS.

THIS SECTION DOES NOT APPLY TO:

- (1) AN ANIMAL OWNED BY AND WHILE WORKING FOR A LAW ENFORCEMENT OR OTHER GOVERNMENTAL AGENCY; OR

- (2) AN ANIMAL PROFESSIONALLY TRAINED TO AID THE VISUALLY, HEARING, OR MOBILITY IMPAIRED, WHILE ACTUALLY IN USE FOR THAT PURPOSE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 22, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-122
(Council Bill 05-191)**

AN ORDINANCE CONCERNING

Animal Control – Impoundment

FOR the purpose of conforming the minimum period for keeping an unclaimed, impounded animal to that specified by State law; and generally relating to the impoundment of animals.

BY repealing and reordaining, with amendments

Article - Health
Section(s) 10-308(c)(3)
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Revised Code

Article – Health

§ 10-308. Impounding animals – In general.

(c) *Impoundment.*

- (3) An impounded animal must be kept for at least [5] 3 WORKING days, unless sooner reclaimed by its owner or keeper.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved August 22, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-123
(Council Bill 05-023)**

AN ORDINANCE CONCERNING

**Commission for Historical and Architectural Preservation –
Reconstitution**

FOR the purpose of reconstituting the Commission for Historical and Architectural Preservation as ~~a~~ an independent unit of the Planning Department; modifying the composition of the Commission; imposing certain term limits on appointed members of the Commission; ~~abolishing the position of Executive Director and providing, instead, for the appointment of a Division Chief for Historical and Architectural Preservation;~~ increasing the penalties for violations; correcting, conforming, and clarifying certain language; and generally relating to the administration of the laws governing historical and architectural preservation.

BY repealing and reordaining, with amendments

Article 6 - Historical and Architectural Preservation
Section(s) 2-1, 2-2, 2-3, 4-5, and 5-3
Baltimore City Code
(Edition 2000)

BY adding

Article 6 - Historical and Architectural Preservation
Section(s) 5-4
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 6. Historical and Architectural Preservation

Subtitle 2. Commission for Historical and Architectural Preservation

§ 2-1. Commission [created] ESTABLISHED.

[(a) *In general.*]

~~[(1)] There is hereby created a commission to be known as the "Commission for Historical and Architectural Preservation"] COMMISSION FOR HISTORICAL AND ARCHITECTURAL PRESERVATION IN THE DEPARTMENT OF PLANNING.~~

THERE IS AN INDEPENDENT UNIT IN THE DEPARTMENT OF PLANNING KNOWN AS THE COMMISSION FOR HISTORICAL AND ARCHITECTURAL PRESERVATION.

§ 2-2. MEMBERS.

(A) *COMPOSITION – GENERAL.*

[(2)] The Commission [shall consist] CONSISTS of 11 members [to be appointed by the Mayor].

(B) *COMPOSITION – APPOINTED MEMBERS.*

(1) ~~8~~ 9 ~~11~~ MEMBERS ARE APPOINTED BY THE MAYOR, IN ACCORDANCE WITH CITY CHARTER ARTICLE IV, § 6, AS FOLLOWS:

(I) 1 TO BE NOMINATED BY THE GREATER BALTIMORE COMMITTEE.

(II) 1 TO BE NOMINATED BY BALTIMORE HERITAGE.

(III) ~~1~~ TO BE NOMINATED BY THE ~~CITIZENS PLANNING AND HOUSING ASSOCIATION~~ BOARD OF DIRECTORS OF PRESERVATION MARYLAND.

(IV) 1 TO BE NOMINATED BY THE BOARD OF THE BALTIMORE HISTORIC SOCIETY.

(V) ~~(IV)~~ 1 WHO IS AN HISTORIAN KNOWLEDGEABLE IN THE AFRICAN-AMERICAN HISTORY AND CULTURE OF BALTIMORE CITY.

(VI) ~~(V)~~ 1 WHO IS A LICENSED REAL ESTATE BROKER DOING BUSINESS IN BALTIMORE CITY.

~~(VI) 1 WHO IS A LICENSED IN THIS STATE AS AN ARCHITECT KNOWLEDGEABLE IN ARCHITECTURAL PRESERVATION.~~

(VII) 2 WHO ARE LICENSED ARCHITECTS KNOWLEDGEABLE IN ARCHITECTURAL PRESERVATION.

(VIII) ~~(VII) 2 WHO OWN AND OCCUPY RESIDENCES~~ 1 WHO OWNS AND OCCUPIES A CONTRIBUTING RESIDENCE IN AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT.

(IX) 1 WHO OWNS AND OPERATES A CONTRIBUTING COMMERCIAL PROPERTY IN AN HISTORICAL AND ARCHITECTURAL PRESERVATION DISTRICT.

(X) 1 WHO IS AN HISTORIAN KNOWLEDGEABLE IN THE ARCHITECTURE, HISTORY, AND CULTURE OF BALTIMORE CITY.

(2) 1 MEMBER IS A COUNCILMEMBER APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.

(C) *COMPOSITION – AGENCY REPRESENTATIVES.*

- (1) ~~1 MEMBER IS THE PRESIDENT OF THE BALTIMORE DEVELOPMENT CORPORATION OR THE PRESIDENT'S DESIGNEE.~~
- (2) 1 MEMBER IS THE COMMISSIONER OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE.

(D) [(b)] *General qualifications.*

[All members] EACH MEMBER:

- (1) must be [residents] A RESIDENT of Baltimore City; and
- (2) must demonstrate a special interest, knowledge, or training in such fields as history, architecture, preservation, AFRICAN-AMERICAN HISTORY, or urban design.

[(c)] *Specific qualifications.*

- (1) 1 member is to be chosen from a list of 2 nominated by the Board of Trustees of the Baltimore Museum of Art;
- (2) 1 from a list of 2 nominated by the Board of Trustees of the Municipal Museum of Baltimore;
- (3) 1 from a list of 2 nominated by the Board of Trustees of the Walters Art Gallery;
- (4) 1 from a list of 2 nominated by the Council of the Maryland Historical Society;
- (5) 1 to be a member of the Baltimore City Council nominated by the President of that body;
- (6) 1 to be an architect registered to practice his profession in the State of Maryland and actually practicing as such in the City of Baltimore;
- (7) 1 to be a teacher of history in a recognized college or university located in the State of Maryland or an individual engaged as an historian by a nonprofit organization devoted to matters of historic interest; and
- (8) 4 to be citizens actively interested in civic improvement.]

[(d)] *Definitions.*

- (1) The term “teacher of history” for the purposes of, and as used in, this article shall mean “a person experienced as a teacher in the field of history or related fields appropriate to the intent of this ordinance”.
- (2) The term “historian” for the purposes of, and as used in, this article shall mean “a person experienced in the field of history or related fields appropriate to the intent of this ordinance”.]

[§ 2-2. Appointment; terms; vacancies.(a) *Appointment.*

The several members of the Commission shall be appointed by the Mayor of Baltimore City under the provision of Article IV, § 6 of the City Charter.]

(E) [(b)] *Term OF APPOINTED MEMBERS.*

- (1) Each of the [Commissioners] MEMBERS APPOINTED BY THE MAYOR serves for a term of 4 years, concurrent with the Mayor's term of office, [or] AND until [his] A successor IS APPOINTED AND qualifies [and takes office].
- (2) THE MEMBER APPOINTED BY THE CITY COUNCIL PRESIDENT SERVES A TERM OF 4 YEARS, CONCURRENT WITH THAT APPOINTEE'S SERVICE ON THE COUNCIL, AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.
- (3) A MEMBER MAY NOT BE APPOINTED BY THE MAYOR OR THE PRESIDENT TO SERVE MORE THAN 2 CONSECUTIVE TERMS.

[(c)] *Removal.*

Any Commissioner may be removed by the Mayor as provided in Article IV, § 6 of the City Charter.]

[(d)] *Vacancies.*

- (1) Any vacancy in the membership of the Commission caused by the expiration of a term or by the resignation removal, death, or permanent absence from the City of Baltimore of an incumbent or by a superseding incapacity on his part, whether physical or mental, to discharge his duties, or by any other cause creating such a vacancy, either actual or in effect, shall be filled for a new term or for the remainder of the term of such incumbent, as the case may be, in the same manner as provided herein for the nomination and appointment of the first members of the Commission.
- (2) Any member of the Commission shall be eligible for renomination and reappointment.
- (3) All vacancies shall be filled within 60 days.]

(F) REMOVAL ON FAILURE TO ATTEND MEETINGS.

- (1) ANY MEMBER OF THE COMMISSION WHO FAILS TO ATTEND AT LEAST 75% OF THE COMMISSION'S MEETINGS DURING ANY PERIOD OF 12 CONSECUTIVE MONTHS IS CONSIDERED TO HAVE RESIGNED.
- (2) THE CHAIR OF THE COMMISSION SHALL CAUSE THE MEMBER'S NAME TO BE FORWARDED TO THE MEMBER'S APPOINTING AUTHORITY NO LATER THAN JANUARY 15 OF THE YEAR FOLLOWING NONCOMPLIANCE.
- (3) THE APPOINTING AUTHORITY SHALL THEN APPOINT A SUCCESSOR FOR THE REST OF THE TERM.

§ 2-3. Officers; staff; compensation.

(a) *Chair and Vice-Chair.*

~~The Commission shall annually elect one of its members as Chairman and another as Vice-Chairman.~~

- (1) THE MAYOR SHALL SELECT ONE OF THE COMMISSION MEMBERS TO SERVE AS CHAIR.
- (2) THE COMMISSION SHALL BIENNIALY ELECT ONE OF ITS MEMBERS TO SERVE AS VICE-CHAIR.

(b) *Executive Director.*

- (1) ~~THE DIRECTOR OF PLANNING, WITH THE APPROVAL OF THE Commission, shall [also] appoint [an individual, not a member of the Commission, as] AN Executive Director [of] FOR the Commission.~~
- (1) THE COMMISSION SHALL APPOINT AN EXECUTIVE DIRECTOR FOR HISTORICAL AND ARCHITECTURAL PRESERVATION FROM AT LEAST THREE CANDIDATES PROVIDED BY THE DIRECTOR OF PLANNING. IF THE LIST IS NOT SATISFACTORY TO THE COMMISSION, THE DIRECTOR SHALL PROVIDE A NEW LIST UNTIL SUCH TIME AS A SATISFACTORY LIST OF CANDIDATES IS SUBMITTED. THE COMMISSION AND THE DIRECTOR OF PLANNING SHALL CONSIDER THE EXECUTIVE DIRECTOR AS DIVISION CHIEF FOR THE HISTORICAL AND ARCHITECTURAL PRESERVATION DIVISION OF THE DEPARTMENT OF PLANNING. THE QUALIFICATIONS OF THE CANDIDATES MUST BE IN ACCORDANCE WITH THE POSITION DESCRIPTION DEVELOPED BY THE COMMISSION THAT MEETS PROFESSIONAL HISTORICAL PRESERVATION PLANNING STANDARDS. THE EXECUTIVE DIRECTOR SHALL NOT BE A MEMBER OF THE COMMISSION.
- (2) [to] THE EXECUTIVE DIRECTOR SHALL perform [such] THE duties [as] set forth [hereinafter] IN THIS ARTICLE or otherwise required by the Commission.
- (3) THE DIRECTOR OF PLANNING, WITH THE APPROVAL OF A MAJORITY OF THE COMMISSION, MAY SUSPEND OR DISMISS THE EXECUTIVE DIRECTOR.
- [(2) The Executive Director shall serve at the pleasure of the Commission and if such Executive Director is not otherwise an employee of the City, shall receive such compensation, if any, as may be approved by the Board of Estimates and provided for in the annual Ordinance of Estimates.]

(c) [*Consultants*] *STAFF and [other personnel]* *CONSULTANTS.*

- (1) ~~THE DIRECTOR OF PLANNING SHALL ASSIGN STAFF FROM THE PLANNING DEPARTMENT TO ASSIST THE COMMISSION AND EXECUTIVE DIRECTOR.~~
- (1) THE DEPARTMENT OF PLANNING SHALL SERVE AS STAFF TO THE COMMISSION.
- (2) The Commission may employ [or hire, from time to time, such] CONSULTANTS AND other personnel [and consultants as is] necessary for the proper performance of [the] ITS duties,[powers and functions of the Commission, said personnel and consultants to receive such compensation] as [may be] provided [for] in the [annual] Ordinance of Estimates.
- (3) STAFF SERVING IN THE DIVISION OF HISTORICAL AND ARCHITECTURAL PRESERVATION MUST MEET THE QUALIFICATIONS OF A POSITION DESCRIPTION THAT INCLUDES PROFESSIONAL HISTORIC PRESERVATION PLANNING STANDARDS.

(d) *Compensation.*

The members of the Commission [shall] serve without compensation, but [they shall] ARE ENTITLED TO be reimbursed for their expenses necessarily incurred in the performance of their duties [as such].

Subtitle 4. Alterations, etc., to Properties**§ 4-5. Certificate of Appropriateness or Notice to Proceed.****(a) Issuance.**

If the Commission determines that the proposed excavation, construction or erection, reconstruction, alteration, removal of an exterior architectural feature, change in exterior color, or demolition of [any structures within said] A STRUCTURE IN A District, [or] on [said] Landmark List, or on the Special List [will be] IS appropriate[,] or, although inappropriate, without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this [ordinance as aforesaid] ARTICLE, the [Executive Director of the] Commission shall [cause] forthwith [to be forwarded] DIRECT THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE TO FORWARD to the Commissioner of Housing and Community Development a Certificate of Appropriateness or a Notice to Proceed, as applicable, along with the RELATED application, plans, and specifications [relative thereto].

Subtitle 5. Judicial Review and Enforcement**§ 5-3. Penalties.****(A) IN GENERAL.**

Whoever excavates, constructs or erects, reconstructs, alters, removes any exterior architectural feature, changes the exterior color, or demolishes any [buildings] BUILDING or [structures] STRUCTURE[, now or hereafter,] in any Historical and Architectural Preservation District, [or any building] on the Landmark List, or on the Special List, in violation of [the provisions of] this article[,] IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, [shall be punished by] IS SUBJECT TO a fine of [not less than \$50 and] NOT LESS THAN \$500 AND not more than [\$500] \$1,000 [and/or] OR imprisonment for not more than 12 months OR BOTH FINE AND IMPRISONMENT FOR EACH OFFENSE.

(B) EACH DAY A SEPARATE OFFENSE.

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

§ 5-4. ENFORCEMENT.

THE CODE ENFORCEMENT DIVISION OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL BE RESPONSIBLE FOR ENFORCEMENT OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-124
(Council Bill 05-043)**

AN ORDINANCE CONCERNING

**Urban Renewal – Middle East –
Amendment 8**

FOR the purpose of amending the Urban Renewal Plan for Middle East to correct a certain reference and revise Appendix E; 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.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Middle East was originally approved by the Mayor and City Council of Baltimore by Ordinance 79-1202 and last amended by Ordinance 02-455.

An amendment to the Urban Renewal Plan for Middle East is necessary to correct a certain reference and revise Appendix E.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Middle East are approved:

(1) On page 4 of the Plan, amend A.2. (e) to read as follows:

- E. [(e)] Over and above the codes and ordinances of the City of Baltimore, the design guidelines in Appendix [D] E shall be applied to all residential properties and non-residential properties for both rehabilitation and new construction except for non-residential properties within the East Monument Street Business Area. ~~Specific addresses of properties comprising the East Monument Street Business Area are indicated in Appendix D, Section 2.~~

(2) In the Plan, ~~revise~~ replace Appendix E Design Guidelines with “Exhibit A, New East Baltimore Community Design Guidelines”, dated March 30, 2005. ~~to read as follows:~~

(3) In the Plan, amend A.2.b. to read as follows:

- b. To provide housing resources for households of varying income levels through rehabilitation AND NEW CONSTRUCTION OF RESIDENTIAL PROPERTIES. IN THE EAST BALTIMORE DEVELOPMENT PROJECT AREA (AS HEREINAFTER DEFINED), DEVELOPER(S) WILL USE REASONABLE EFFORTS TO MAKE HOUSING AVAILABLE FOR PURCHASE OR FOR RENT TO ALL RESIDENTS WHO HAVE BEEN RELOCATED FROM THE AREA AS A RESULT OF THE REDEVELOPMENT OF THE AREA AND ARE INTERESTED IN RETURNING TO LIVE IN THE AREA. REASONABLE EFFORTS WILL INCLUDE GIVING

SUCH RESIDENTS THE RIGHT OF FIRST OPPORTUNITY TO PURCHASE OR RENT HOUSING IN THE AREA AND PROVIDING ALL SUCH RESIDENTS WITH REGULAR NOTIFICATION OF THE AVAILABILITY OF HOUSING UNITS FOR PURCHASE OR RENT IN THE AREA.

(4) In the Plan, amend B.(1)h. to read as follows:

h. PUD Standards and Controls

The development of the East Baltimore Biotech Center and the surrounding area (Collectively, the "East Baltimore [Redevelopment area] DEVELOPMENT PROJECT AREA", DESCRIBED IN EXHIBIT B) shall require the preparation of a comprehensive plan of development that is approved through a process that has substantial community involvement. "Substantial Community Involvement" means: Community participation that is consistent with the required approval of the Planned Unit Developments (PUDs). In addition, PUDs shall be encouraged (and for any phase after the initial phase, required) or, per Section 9-105(b) of the Zoning Code or as otherwise permitted by law, initiated by the Planning Commission itself to (1) establish unitary control over the East Baltimore [Redevelopment] DEVELOPMENT PROJECT Area, rather than lot-by-lot regulation; (2) achieve maximum coordination between or among each PUD and neighboring land uses; (3) provide greater flexibility to the redeveloper; (4) allow for greater involvement by the impacted community; [and] (5) ENSURE THAT SIGNIFICANT HOUSING RESOURCES ARE MADE AVAILABLE TO HOUSEHOLDS OF VARYING INCOME LEVELS, SPECIFICALLY, LOW INCOME (50% OR LESS OF THE MEDIAN INCOME APPLICABLE TO BALTIMORE CITY AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT), MODERATE INCOME (MAKING MORE THAN 50% OF MEDIAN INCOME APPLICABLE TO BALTIMORE CITY BUT LESS THAN 100% OF MEDIAN INCOME, USING A COMBINATION OF PRICE ADJUSTMENTS AND BUYER FINANCING ASSISTANCE PROGRAMS, SPONSORED BY THE STATE OF MARYLAND AND OTHER SOURCES), AND MARKET RATE WITHOUT REGARD TO INCOME; (6) IN ACCORDANCE WITH SUBPARAGRAPH 5, ENSURE THAT THE DEVELOPMENT PROJECT AREA PROVIDES (EXCLUDING STUDENT HOUSING) ONE-THIRD LOW INCOME HOUSING, ONE-THIRD MODERATE INCOME HOUSING, AND ONE THIRD MARKET RATE HOUSING; AND (7) optimize the preservation of existing historic buildings and the unique historic character of the East Baltimore [Redevelopment] DEVELOPMENT PROJECT Area for Baltimore residents and visitors. In the event that a PUD is not utilized, there shall be no significant development within the East Baltimore DEVELOPMENT PROJECT Area or the completion of a comprehensive plan development for the East Baltimore [Redevelopment] DEVELOPMENT PROJECT Area without substantial community involvement, as defined above.

THE DEVELOPMENT PROJECT AREA SHALL BE DEVELOPED IN ACCORDANCE WITH THE "LAND DISPOSITION AND DEVELOPMENT AGREEMENT" BETWEEN THE MAYOR AND CITY COUNCIL OF BALTIMORE AND EAST BALTIMORE DEVELOPMENT, INC., EFFECTIVE APRIL 28, 2004, AS AMENDED FROM TIME TO TIME.

(5) In the Plan, add "Exhibit B, Project Area Description".

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Middle East, as amended by this Ordinance and identified as "Urban Renewal Plan, Middle East, revised to include Amendment 8, dated ~~February 4~~ August 15, 2005", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 3. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the

procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-125
(Council Bill 05-049)**

AN ORDINANCE CONCERNING

**Sale of Property – 3304, 3308, 3312 Hawkins Point Road and
Block 7005, Lot 22**

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 properties known as 3304, 3308, 3312 Hawkins Point Road (Block 7005, Lots 6, 7, and 8) and a descriptive lot known as Block 7005, Lot 22 located 200 feet north of Hawkins Point Road and at the rear of 3308 Hawkins Point Road and no longer needed for public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in the properties known as 3304, 3308, 3312 Hawkins Point Road (Block 7005, Lots 6, 7, and 8) and a descriptive lot known as Block 7005, Lot 22 located 200 feet north of Hawkins Point Road and at the rear of 3308 Hawkins Point Road, and more particularly described as follows:

The subject parcels, Block 7005, Lots 6, 7, 8, and 22, are unimproved lots containing:

40,000 ± square feet for Lot 6
10,656 ± square feet for Lot 7
20,000 ± square feet for Lot 8
36,846 ± square feet for Lot 22,

these properties being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-126
(Council Bill 05-081)**

AN ORDINANCE CONCERNING

City Streets – Renaming Nome Street to Manor Avenue

FOR the purpose of changing the name of Nome Street, between Holabird Avenue and Eastbourne Avenue, to Manor Avenue.

BY authority of
Article 26 - Surveys, Streets, and Highways
Section 7-3
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the name of Nome Street, between Holabird Avenue and Eastbourne Avenue, is changed to Manor Avenue.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-127
(Council Bill 05-092)**

AN ORDINANCE CONCERNING

Convention Center Hotel Development District

FOR the purpose of designating a “development district” to be known as the “Convention Center Hotel 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 relating to the designation and operation of the development district and the establishment and use of the tax increment fund.

BY authority of
Article II - General Powers
Section (62)
Baltimore City Charter
(1996 Edition)

Recitals

The Tax Increment Financing Act, Article II, Section (62) of the Baltimore City Charter (the “Act”) authorizes the Mayor and City Council of Baltimore to establish a “development district” (as defined in the Act) and a special, tax increment fund into which the revenues and receipts from the real property taxes representing the levy on the “tax increment” (as defined in the Act) for the development district are deposited, for the purpose of providing funds for the development of the development district.

If no bonds are outstanding with respect to the development district, the Act also authorizes that the special, tax increment fund may be (i) used for any other purposes described in the Act, (ii) accumulated for payment of debt service on bonds to be subsequently issued under the Act, (iii) used to pay or reimburse the City for debt service the City is obligated to pay or has paid (whether as a general or limited obligation of the City) on bonds issued by the City or by the State of Maryland or any agency, department or political subdivision of the state, the proceeds of which have been used for any of the purposes specified in the Act or (iv) paid to the City to provide funds to be used for any legal purpose.

The Mayor and City Council wishes to establish a development district within the City and to establish a tax increment fund for that development district for the purpose of providing funds for the development and construction of a convention center headquarters hotel.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That for the purposes of this Ordinance, the following terms have the meanings indicated:

- (a) “Act” means the Tax Increment Financing Act, as codified in Article II, Section (62) of the Baltimore City Charter.
- (b) “Assessable base” means the total assessable base of all real property in the Development District subject to taxation, as determined by the Supervisor of Assessments.
- (c) (1) “Assessment ratio” means any real property tax assessment ratio, however designated or calculated, that is used or applied under applicable general law in determining the assessable base.

- (2) "Assessment ratio" includes the assessment percentage provided under §8-103(c) of the State Tax-Property Article, as amended, replaced, or supplemented from time to time.
- (d) "Bond" means any bond, note, or other similar instrument issued by the Mayor and City Council of Baltimore under the Act.
- (e) "Development District" means the area in the City designated in Section 3 of this Ordinance as a development district under the Act.
- (f) "Hotel" means the Baltimore City Convention Center headquarters hotel proposed to be constructed in the Development District.
- (g) "Hotel Bonds" means the Mayor and City Council of Baltimore Convention Center Hotel Revenue Bonds Series 2005 in an aggregate principal amount not to exceed \$305,000,000 authorized to be issued by an ordinance of the Mayor and City Council of Baltimore enacted simultaneously with this ordinance.
- (h) "Original assessable base" means the assessable base as of January 1, 2004.
- (i) "Original full cash value" means the dollar amount that is determined by dividing the original assessable base by the assessment ratio used to determine the original assessable base.
- (j) "Original taxable value" means, for any tax year, the dollar amount that is the lesser of:
- (1) the product of the original full cash value times the assessment ratio applicable to that tax year; or
 - (2) the original assessable base.
- (k) "Tax increment" means for any tax year, the amount by which the assessable base as of January 1 preceding that tax year exceeds the original taxable value, divided by the assessment ratio used to determine the original taxable value.
- (l) "Tax Increment Fund" means the special fund established by Section 4 of this Ordinance.
- (m) "Tax year" means the period from July 1 of a calendar year through June 30 of the next calendar year.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore finds and determines that the establishment of the Convention Center Hotel Development District, the creation of a Tax Increment Fund for that District and the use of the monies in the Tax Increment Fund as set forth in this Ordinance accomplishes the purposes of the Act, serves public purposes, including the direct and indirect enhancement of the taxable base of the City and the facilitation of the development and construction of the Hotel, and generally promotes the health, welfare, and safety of the residents of the State of Maryland and of the City of Baltimore.

SECTION 3. AND BE IT FURTHER ORDAINED, That the contiguous area consisting of the properties designated as 401 West Pratt Street (Block 0678, Lot 001) and 217 South Eutaw Street (Block 0679, Lot 001) (as the same may be renumbered or redesignated as a result of any resubdivision of such property), together with the adjoining roads, highways, alleys, rights-of-way and other similar property, shown on the map attached to this Ordinance as Exhibit 1, and made a part of this Ordinance, is designated as a development district to be known as the "Convention Center Hotel Development District."

SECTION 4. AND BE IT FURTHER ORDAINED, That a special fund is established for the Development District to be known as the "Convention Center Hotel Development District Tax Increment Fund." The Director of

Finance and other officers and employees of the City shall take all necessary steps to establish the Tax Increment Fund as a separate fund to be held by or for the account of the City.

SECTION 5. AND BE IT FURTHER ORDAINED, That:

- (a) For each tax year that begins after the effective date of this Ordinance, the Director of Finance shall divide the property taxes on real property within the Development District so that:
 - (1) the portion of the taxes that would be produced by the rate at which taxes are levied each year by the City upon the original taxable value shall be allocated to and, when collected, paid into the funds of the City in the same manner as taxes levied and collected by the City on all other property are paid; and
 - (2) the portion of the taxes representing the levy on the tax increment that would normally be paid to the City shall be paid into the Tax Increment Fund, to be applied in accordance with the provisions of the Act.
- (b) The City acknowledges that neither the rate at which taxes are levied on real property within the Development District nor the manner of assessment of the value of real property within the Development District may vary from the rate or manner of assessment that otherwise would have applied if the Development District were not designated and the Tax Increment Fund not created.

SECTION 6. AND BE IT FURTHER ORDAINED, That:

- (a) If no Bonds are outstanding with respect to the Development District, money in the Tax Increment Fund may be:
 - (1) used for any other purposes described in the Act;
 - (2) accumulated for payment of debt service on Bonds to be subsequently issued under the Act;
 - (3) used to pay or reimburse the City for debt service that the City is obligated to pay or has paid (whether as a general or limited obligation of the City) on bonds issued by the City or by the State of Maryland or any agency, department or political subdivision of the State, the proceeds of which have been used for any of the purposes specified in the Act, including, without limitation, debt service on the Hotel Bonds; or
 - (4) paid to the City to provide funds to be used for any legal purpose, including, without limitation, use provided for in the indenture authorizing the issuance of the Hotel Bonds.
- (b) In each case, the use must be approved by appropriate action of the Mayor and City Council, which action may generally specify the purpose for which the Tax Increment Fund may be used and the maximum amount that may be applied for that purpose, without specifying the actual amounts to be applied.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Director of Finance may do all acts and things and execute all documents and certificates relating to the Development District and the Tax Increment Fund.

SECTION 8. AND BE IT FURTHER ORDAINED, That any approvals, authorizations, or activities provided in this Ordinance do not constitute and may not be deemed to constitute or imply that the City Council, the Mayor, or any department, office or agency of the City has given or will give, any approval, authorization or consent to any action or activity within or required for the development of the Development District, including any land use approval,

requirements for the provision of public utilities or services, or any other administrative, judicial, quasi-judicial, or legislative approval, authorization, or consent.

SECTION 9. AND BE IT FURTHER ORDAINED, That this Ordinance may be amended by a subsequent ordinance of the Mayor and City Council of Baltimore, which ordinance may enlarge or reduce the Development District. However, no ordinance may be effective to reduce the size of the Development District so long as there are any outstanding Bonds or other obligations, including the Hotel Bonds, secured by the Tax Increment Fund, unless the ordinance authorizing the issuance of the such obligations permits the City to reduce the area constituting the Development District, the holders of such obligations or an authorized representative on their behalf consents to the reduction or the indenture authorizing the issuance of the bonds permits the reduction.

SECTION 10. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance are severable. If any provision, sentence, clause, section or other part of this Ordinance is held or determined to be illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, that illegality, invalidity, unconstitutionality, or inapplicability does not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or their application to other persons or circumstances. It is the intent of the Mayor and City Council that this Ordinance would have been passed even if the illegal, invalid, unconstitutional, or inapplicable provision, sentence, clause, section, or other part had not been included in this Ordinance, and as if the person or circumstances to which this Ordinance or part are inapplicable had been specifically exempted.

SECTION 11. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

EXHIBIT 1

Map of Development District

EDITOR'S NOTE

The Exhibit map in this Ordinance is not reproduced here. It may be viewed in a copy of the Ordinance itself.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

CITY OF BALTIMORE ORDINANCE 05-128 (Council Bill 05-093)

AN ORDINANCE CONCERNING

Convention Center Hotel Revenue Obligations

FOR the purpose of authorizing and providing for the issuance, sale and delivery by the Mayor and City Council of Baltimore of its revenue bonds, notes or other obligations, to be designated "Convention Center Hotel Revenue Bonds" (the "Revenue Obligations"), in the aggregate principal amount not exceeding \$305,000,000 pursuant to the provisions of Article II, Section (50) of the Charter (defined herein), in order to use the proceeds for the public purpose of (a) financing and refinancing, the acquisition, demolition, construction, renovation, expansion, improvement, furnishing and equipping of a convention center headquarters hotel in the City of Baltimore, (b) funding capitalized interest on the Revenue Obligations to the extent deemed necessary and in accordance with any limitation on the period for such funding established by law, (c) paying

the costs of issuance and all other related costs of the Revenue Obligations, (d) funding any working capital or reserve funds, (e) paying the cost of any pre-opening expenses of such hotel or reimbursing the City or Hotel Corporation (defined herein) for such costs, and (f) paying the expenses of the Hotel Corporation; making certain legislative findings, among others, concerning the public benefit and purpose of the Revenue Obligations; defining certain terms used in this Ordinance; authorizing the creation of a nonprofit, nonstock corporation (the "Hotel Corporation") to own and operate such hotel, authorizing the Hotel Corporation to have certain rights and to take certain actions in connection with the issuance of the Revenue Obligations, and prescribing certain terms and conditions for the organization of the Hotel Corporation and the operation of the hotel; providing that the net proceeds from the sale of the Revenue Obligations be loaned to the Hotel Corporation pursuant to a loan agreement between the City and the Hotel Corporation (the "Loan Agreement"); providing that the Revenue Obligations shall be nonrecourse obligations payable solely and only from (i) the Pledged Revenues (as defined herein), (ii) amounts in any reserve fund established to secure the Revenue Obligations, (iii) unexpended proceeds of the Revenue Obligations, and (iv) other amounts legally available therefor; providing that the Revenue Obligations shall not ever constitute, within the meaning of Article XI, Section 7 of the Constitution of Maryland or any other constitutional, statutory or charter provision or otherwise a debt or general obligation of the City, the State of Maryland, or any other subdivision of the State of Maryland or a pledge of the full faith and credit or the taxing powers of the City, the State of Maryland, or any other subdivision of the State of Maryland; authorizing and empowering the Board of Finance of the City by resolution to take certain actions and to make certain commitments on behalf of the City, including, without limitation, (a) to provide that, the City in each fiscal year in which any Revenue Obligations are outstanding shall use its best efforts to obtain the appropriation of Hotel Tax Revenues, Tax Increment Revenues and Personal Property Tax Revenues (each as defined herein) in the amounts specified in the trust agreement (the "Indenture") between the City and the bank or trust company appointed as trustee thereunder (the "Trustee"), (b) to determine certain matters pertaining to the Revenue Obligations, including (without limitation) the form, terms, provisions, and any and all other details of the Revenue Obligations, the manner or method of issuing and selling the Revenue Obligations, and the terms upon which the Revenue Obligations shall be sold, (c) to approve the terms and provisions of the Indenture, the Loan Agreement and any other documents the Board of Finance determines are necessary and appropriate in connection with the issuance of the Revenue Obligations; (d) to grant liens and encumbrances in the Hotel and related improvements to secure the Revenue Obligations to the extent permitted by applicable law; and (e) to determine certain other matters with respect to the Revenue Obligations; authorizing certain City officials to execute and deliver the Revenue Obligations, the Indenture, the Loan Agreement and every other document the Board of Finance considers necessary for the execution and delivery of the Revenue Obligations and to do all acts and things necessary to carry out the provisions of this Ordinance; authorizing and providing for the refunding, renewal or refinancing from time to time by the City of the Revenue Obligations in whole or in part, by the issuance of refunding bonds, notes or other obligations, as the case may be (collectively, "Refunding Obligations") and determining certain matters with respect to such Refunding Obligations; providing that the Revenue Obligations and Refunding Obligations may be issued in one or more series as the Board of Finance by resolution may provide; authorizing the City to enter into an interest rate exchange agreement to improve the management of debt service or interest rate risks on the Revenue Obligations and Refunding Obligations or reduce the cost of servicing the Revenue Obligations and Refunding Obligations; providing for a special effective date; and generally providing for and determining various matters in connection with the authorization, issuance, security, sale and payment of the Revenue Obligations and Refunding Obligations.

Recitals

- A. For convenience of reference, Mayor and City Council of Baltimore, a body corporate and politic of the State of Maryland, is hereinafter sometimes referred to as the "City". The Charter of Baltimore City (1996 Edition, online update December 31, 2004) is hereinafter sometimes referred to as the "Charter".

- B. Section (50)-Revenue Bonds and Obligations, of Article II of the Charter ("Section (50)") authorizes the City to borrow money through the issuance and sale of its bonds, notes or other obligations (including refunding bonds, notes or other obligations) for the accomplishment of any of the purposes, objects and powers of the City.
- C. Section (50) further provides that the trust agreement related to any bonds, notes or other obligations may pledge the revenues from or arising in connection with property, facilities, developments and improvements whose financing is undertaken by such bonds, notes or other obligations.
- D. Section (50) further provides that, notwithstanding any other provision of Section (50), bonds, notes and other obligations issued under Section (50) to finance or refinance the acquisition, demolition, construction, renovation, expansion, improvement, furnishing or equipping of facilities constituting "convention center facilities" under Section (50) maybe payable, as to both principal and interest, from Hotel Tax Revenues, provided that such Hotel Tax Revenues may not be irrevocably pledged to the payment of such principal and interest and the obligation to pay such principal and interest from such Hotel Tax Revenues shall be subject to annual appropriation by the City. Section (50) defines convention center facilities to include hotels.
- E. Section (50) further authorizes the City to authorize and empower the Commissioners of Finance of the City (pursuant to Resolution 13 of Mayor and City Council of Baltimore, approved by the Mayor August 14, 1978, adopted by referendum on November 7, 1978, the powers of the Commissioners of Finance were vested in the Board of Finance, and hereinafter "Board of Finance" shall designate the former Commissioners of Finance) by resolution (i) to determine and set forth certain matters pertaining to such bonds, notes or other obligations and (ii) to do any and all things necessary, proper or expedient in connection with the issuance and sale of such bonds, notes or other obligations.
- F. Section (62) – Tax Increment Financing, of Article II of the Charter (the "TIF Act") authorizes the City to designate an area within the City as a "development district" and to establish a special fund into which the City will deposit that portion of the taxes representing the levy on the tax increment (as defined in the TIF Act) that would normally be paid to the City. The TIF Act further authorizes the City to establish such special fund with respect to a development district, even though no bonds issued pursuant to the TIF Act have been issued by the City, and moneys in the special fund may be used (i) to pay or reimburse the City for debt service that the City is obligated to pay or has paid (whether as a general or limited obligation of the City) on bonds issued by the City, the proceeds of which have been used for any of the purposes specified in the TIF Act, including without limitation, the Revenue Obligations or the Refunding Obligations or (ii) be paid to the City to provide funds to be used for any legal purpose.
- G. Pursuant to an Ordinance enacted prior to or simultaneously with this Ordinance (the "TIF Ordinance"), the City has:
 - (1) designated the Convention Center Hotel Development District (the "Development District");
 - (2) created the Convention Center Hotel Development District Tax Increment Fund;
 - (3) provided that the property taxes on real property in the Development District shall be divided as provided in the Tax Increment Act; and
 - (4) made other findings and determinations with respect to the Development District
- H. Article 31, Section 34 of the Annotated Code of Maryland (2001 Replacement Volume and 2004 Cumulative Supplement) authorizes the City to enter into an interest rate exchange agreement or contract to improve the management of debt service or interest rate risk on its Revenue Obligations or

reduce the cost of servicing its Revenue Obligations; provided that before the City enters into an interest rate exchange agreement or contract, the City shall enact a local law or resolution that shall authorize the transaction upon the terms and conditions established in the local law or resolution, or the City may delegate to an officer, official, board or agency specified in the law or resolution the power to provide for the final form, terms and provisions of the agreement or contract.

- I. The City has determined that the financing of a publicly-owned headquarters hotel to be located adjacent to the Baltimore Convention Center (defined herein) will enhance operations at the Baltimore Convention Center and promote economic development in the City. To implement the acquisition of such hotel, the City desires to create a public, non-profit corporation, to construct and operate such hotel. The City wishes to provide for organization and governance of such corporation and authorize such corporation to take actions and pledge certain collateral in connection with the Revenue Obligations.
- J. The City has determined to issue and sell its Revenue Obligations in an aggregate principal amount not to exceed \$305,000,000 and to loan the proceeds thereof to the Hotel Corporation to finance and refinance the acquisition, demolition, construction, renovation, expansion, improvement, furnishing and equipping of the Hotel (defined herein), to pay the costs of issuance and fund working capital and reserve funds for the Revenue Obligations, including reserves for the payment of interest on the Revenue Obligations, pay the cost of any pre-opening expenses of the Hotel or reimburse the City or Hotel Corporation for such costs, and paying the expenses of the Hotel Corporation.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That it is hereby found and determined that the presence in the City of Baltimore of a modern convention center headquarters hotel which will meet the demands of users of convention center facilities is vital to the promotion and retention of convention and meeting business and tourism in the City of Baltimore and the State of Maryland. The convention and meeting business and tourism are vital to the economy of the City of Baltimore, the Baltimore metropolitan area and the State of Maryland. The City desires to continue and increase the role of the City's existing convention center facilities (the "Baltimore Convention Center") in attracting convention and meeting business and tourism to the City of Baltimore and the State of Maryland. The financing and construction of the Hotel serves the public benefit and purpose of the City by enhancing the City's ability to attract and meet the demand of larger conventions and to permit more efficient and effective operation of the Baltimore Convention Center.

SECTION 2. AND BE IT FURTHER ORDAINED, That, in addition to any other terms defined elsewhere in this Ordinance, the following terms shall have the following meanings in this Ordinance:

- (a) "City-Wide Hotel Tax Revenues" means all revenues and receipts of the City from the hotel room tax levied and collected by the City pursuant to Article 28, Subtitle 21, inclusive of the Baltimore City Code, as amended, replaced or supplemented from time to time, but shall not include that portion of the hotel room tax revenues and receipts appropriated by the City to the payment of the principal of, premium, if any, and interest on bonds issued by the City to finance or refinance the Baltimore Convention Center.
- (b) "Debt Service Requirement" means, for any fiscal year of the City, the amount of all payments of principal, premium, if any, and interest payable on the Revenue Obligations and Refunding Obligations for such period.
- (c) "Hotel" means the headquarters hotel for the Baltimore Convention Center which is expected to include:
 - (1) the Land;

- (2) a state-of-the-art building containing a minimum of 750 guest rooms, a ballroom and an area or areas for meeting space;
 - (3) structured parking at or adjoining the Hotel located on the Land;
 - (4) street-level retail and outdoor public spaces;
 - (5) pedestrian bridges across Eutaw Street and Howard Street connecting the Hotel to the Baltimore Convention Center;
 - (6) other complimentary and related amenities and furniture, fixtures and equipment associated with the Hotel's operation;
 - (7) other facilities and properties used or useful or having present capacity for future use as, or in connection with the foregoing.
- (d) "Hotel Revenues" means the revenues and receipts from or arising in connection with the operation of the Hotel as described in the Loan Agreement.
- (e) "Hotel Tax Revenues" means, collectively, the City-Wide Hotel Tax Revenues and the Site Specific Hotel Tax Revenues.
- (f) "Land" means Lots 6A, 6B, 7A and 7B as set forth in the Inner Harbor West Urban Renewal Plan, as amended, together with the adjoining roads, highways, alleys, rights-of-way and other similar property (as the same may be renumbered or redesignated as a result of any resubdivision or consolidation of such property), shown on the map attached to this Ordinance as Exhibit A, and made a part of this Ordinance. Ownership of the Land will be transferred by the City to the Hotel Corporation to facilitate the construction of the Hotel.
- (g) "Loan Agreement" means the loan agreement to be executed by the City and the Hotel Corporation pursuant to which the City will lend the proceeds of the Revenue Obligations to the Hotel Corporation.
- (h) "Maximum Annual Debt Service Requirement" means the greatest amount of Debt Service Requirement in any fiscal year of the City during which the Revenue Obligations and the Refunding Obligations are outstanding, as defined in the Indenture.
- (i) "Personal Property Tax Revenues" means an amount equal to all revenues and receipts of the City from the tax levied on the personalty of the Hotel and collected by the City pursuant to Article 28, Subtitle 4, inclusive of the Baltimore City Code, as amended, replaced or supplemented from time to time.
- (j) "Pledged Revenues" means (i) all or a portion of the loan payments made by the Hotel Corporation to the City pursuant to the Loan Agreement from Hotel Revenues, (ii) all or a portion of the Site Specific Hotel Tax Revenues, but only to the extent that the Site Specific Hotel Tax Revenues are appropriated by the City to the payment of the principal of, premium, if any, and interest on the Revenue Obligations or Refunding Obligations and for other purposes as provided under the Indenture, (iii) all or a portion of the City-Wide Hotel Tax Revenues in an amount not to exceed, in any fiscal year, 25% of the Maximum Annual Debt Service Requirement of the Revenue Obligations or Refunding Obligations but only to the extent that the City-Wide Hotel Tax Revenues are appropriated by the City to the payment of the principal of, premium, if any, and interest on the Revenue Obligations and Refunding Obligations and for other purposes as provided under the Indenture, (iv) all or a portion of the Personal Property Tax Revenues, but only to the extent that the

Personal Property Tax Revenues are appropriated by the City to the payment of the principal of, premium, if any, and interest on the Revenue Obligations or Refunding Obligations and for other purposes as provided under the Indenture, and (v) all or a portion of the Tax Increment Revenues but only to the extent that the Tax Increment Revenues are appropriated by the City to payment of, premium, if any, on and interest on the Revenue Obligations and Refunding Obligations and for other purposes as provided in the Indenture, each as determined by the Board of Finance.

- (k) "Refunding Obligations" means refunding bonds, notes or other obligations issued by the City to refund, renew, refinance, defease or prepay any Revenue Obligations or Refunding Obligations.
- (l) "Revenue Obligations" means revenue bonds, notes or other obligations issued by the City to provide funds for the financing of the Hotel.
- (m) "Site Specific Hotel Tax Revenues" means an amount equal to all revenues and receipts of the City from the hotel room tax levied on all gross amounts of money paid to the owners or operator of the Hotel by transient guests occupying rooms and collected by the City pursuant to Article 28, Subtitle 21, inclusive of the Baltimore City Code, as amended, replaced or supplemented from time to time but shall not include the portion of the Hotel Tax Revenues appropriated by the City to the payment of the principal of, premium, if any, and interest on bonds issued by the City to finance or refinance the Baltimore Convention Center.
- (n) "Tax Increment Revenues" means the revenues and receipts from the property taxes representing the levy of the tax increment (as defined in the TIF Ordinance) that would normally be paid to the City, including any scheduled payments thereof, interest thereon and a portion of the net proceeds of the redemption or sale of property sold as a result of foreclosure of the lien equal to the amount of such lien and interest thereon, including any penalties collected in connection with delinquent taxes but excluding any expenses of sale or any other administrative expenses collected by the City in connection with such delinquent taxes, in each case to the extent attributable to such levy, but only to the extent that such amounts are appropriated by the City. No statewide property taxes constitute Tax Increment Revenues.
- (o) "Trustee" means the bank or trust company appointed by the Board of Finance pursuant to this Ordinance to act as Trustee under the Indenture.

SECTION 3. AND BE IT FURTHER ORDAINED, That the City hereby authorizes the creation of a Maryland non-profit, non-stock corporation, to be known as the "Baltimore Hotel Corporation" or such other name as shall be approved by the Board of Finance (the "Hotel Corporation") to have certain legal rights including the right to borrow the proceeds of the Revenue Obligations and to own and oversee the construction and management of the Hotel. The Hotel Corporation is hereby authorized to pledge the Hotel Revenues, the Hotel, including the Land and all improvements thereon and any other collateral that the Hotel Corporation is authorized by law or resolution to pledge, to secure its obligations under the Loan Agreement, including to pay the principal of, premium, if any, and interest on the Revenue Obligations and the Refunding Obligations, to pay all operating expenses of the Hotel, to fund operating, capital improvement and other reserves, and for other purposes as set forth in the Indenture and as approved by the Board of Finance.

The Hotel Corporation shall not be a municipal agency of the City as defined in Section 2(j) – General Provisions, of Article I of the Charter or under any state law and its officers and employees are not agents, officials or employees of the City.

The Hotel Corporation shall indemnify and hold harmless the City and its officers, agents, and employees against all acts, conditions, damages, suits, claims, and liabilities arising out of or in connection with any activities of the Hotel Corporation or of its board of directors, executive director, officers, agents, or employees.

The Hotel Corporation shall (i) maintain adequate books and records and (ii) prepare, or cause to be prepared, audited financial statements in accordance with generally accepted accounting principles. A copy of the audited financial statements the Hotel Corporation's annual budget and other financial information and reports as shall be requested shall be delivered to the Mayor, the President of the City Council, and the Board of Estimates no later than 180 days following the close of the fiscal year of the Hotel Corporation. The Hotel Corporation shall also allow the City or its representatives to inspect its books upon reasonable notice.

The Charter documents of the Hotel Corporation shall provide that, among other things, (i) the Hotel Corporation is established to assist the City in accomplishing an essential governmental function of enhancing economic development within the City by promoting and expanding the use of the Baltimore Convention Center, (ii) the Hotel Corporation shall be operated as a non-profit corporation, none of the income of which shall inure to the benefit of any private person or entity, (iii) the City shall have the right, upon the payment in full of the Revenue Obligations or Refunding Obligations, to become the unencumbered owner of the Hotel and all other assets of the Hotel Corporation, (iv) upon the retirement of the Revenue Obligations and the Refunding Obligations and the dissolution of the Hotel Corporation, all assets of the Hotel Corporation shall vest in the City, (v) all income derived from the operation of the Hotel, after payment of all debt service, and the funding of reserves and other amounts payable under the Indenture, and the payment of operating expenses of the Hotel Corporation and other costs of the Hotel Corporation, shall be paid to the City, and (vi) such other terms and provisions as shall be approved by the Board of Finance. The Hotel Corporation may adopt by-laws for the management and regulation of its affairs.

SECTION 4. AND BE IT FURTHER ORDAINED, That the powers of the Hotel Corporation shall be exercised by a Board of Directors of the Hotel Corporation (the "Board"). The Board shall (i) have a minimum of nine and a maximum of fifteen members, (ii) initially consist of nine voting members of which a majority shall be members who are not employees or officials of the City, (iii) be comprised of five ex-officio members to include (a) the Mayor or his or her designee, (b) the President of the City Council or his or her designee, (c) the Comptroller of the City, (d) the Director of Finance and (e) the President of the Baltimore Development Corporation and four individuals who are not officials or employees of the City, initially selected by the Mayor and thereafter any vacancies shall be filled by individuals nominated and elected by the Board. All selections by the Mayor are subject to confirmation by the City Council in the same manner as provided in the City Charter for municipal officers. Each member serves for a term of 3 years, except that the initial terms shall be staggered so that the terms of one-third of the members will expire each year. No member may serve more than 2 consecutive full terms. At least one such member shall have hotel and hospitality experience, at least one member shall have marketing experience, and at least one member shall have convention planning experience. All members of the Board shall be residents of Baltimore City. Eligibility ~~Additional eligibility criteria and term limitation provisions shall~~ may be set forth in the by-laws adopted by the Hotel Corporation. In no event, however, may any officer, director, or employee of the Baltimore Area Convention and Visitors Association, of any entity engaged to operate or manage the Hotel, or of any auditor or legal counsel engaged by the Hotel Corporation serve as a member of the Board.

The Board shall be considered a "public body" under the State Open Meetings Act, and shall comply with all requirements imposed by the Act on public bodies.

The provisions of City Code Article 5, Subtitle 26 { "Hours and Wages – Service Contracts" } shall apply to all employees of the hotel to the same extent as if the Hotel Corporation, any entity engaged to operate or manage the Hotel, or any of their contractors or subcontractors were "service contractors", as defined in Article 5, Subtitle 26. The Wage Commission shall adopt rules, regulations, and procedures and take all other steps necessary to assure that all non-professional employees of these entities (i) receive no less than the "prevailing minimum hourly wage rate" (aka "living wage") set from time to time under Article 5, Subtitle 26, and (ii) are provided with all enforcement and other rights granted by that law.

The Board (i) may not pledge the full faith and credit of the City or otherwise obligate the City to any borrowing or contract, (ii) does not have any taxing authority, (iii) may not exercise the power of eminent domain and (iv) may not issue any public bonds.

SECTION 5. AND BE IT FURTHER ORDAINED, That the issuance, sale and delivery of Revenue Obligations in an aggregate principal amount not to exceed \$305,000,000 hereby designated "Convention Center Hotel Revenue Bonds" are hereby authorized, subject to the provisions of this Ordinance and the Indenture between the City and the Trustee.

SECTION 6. AND BE IT FURTHER ORDAINED, That the net proceeds from the sale of the Revenue Obligations authorized to be issued and sold by this Ordinance shall be loaned to the Hotel Corporation pursuant to the Loan Agreement and used and applied for the public purposes of (i) financing and refinancing the acquisition, demolition, construction, renovation, expansion, improvement, furnishing and equipping of the Hotel, (ii) paying the cost of issuance and sale of the Revenue Obligations, including (without limitation), underwriting costs, consulting fees, credit enhancement fees (including bond insurance premiums and letter of credit fees) and all other incidental related expenses, (iii) funding capitalized interest on any series of Revenue Obligations to the extent deemed necessary and in accordance with any limitation on the period for such funding established by law, (iv) paying the cost of any pre-opening expenses of the Hotel or reimbursing the City or Hotel Corporation for such costs, (v) paying the expenses of the Hotel Corporation, and (vi) (to the extent provided by resolution of the Board of Finance adopted pursuant to this Ordinance) to fund a debt service reserve fund and other working capital or reserve funds as provided in the Indenture.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Revenue Obligations shall be solely and exclusively payable from the (i) Pledged Revenues, (ii) amounts in any reserve fund established to secure the Revenue Obligations, (iii) unexpended proceeds of the Revenue Obligations and (iv) other amounts legally available therefore. Additionally, the Board of Finance may authorize additional security for the Revenue Obligations by (i) insuring the Revenue Obligations through bond insurance provided by one or more bond insurers selected by the Board of Finance, or through one or more letters of credit, lines of credit, standby bond purchase agreements or other financial guaranty issued or entered into by one or more banks or financial institutions selected by the Board of Finance; (ii) such other security as the Board of Finance may approve including, but not limited to, a lien on the Hotel; or (iii) any combination of (i) and (ii). The Tax Increment Revenues, the Hotel Tax Revenues and the Personal Property Tax Revenues, however, are not irrevocably pledged to the payment of the principal of and interest on the Revenue Obligations or to the other purposes provided in the Indenture and the obligation to make any such payment is subject to annual appropriation by the City. Revenue Obligations issued under this Ordinance and the Indenture do not constitute, within the meaning of Article XI, Section 7 of the Constitution of Maryland or any other Constitutional, Statutory or Charter Provision, (i) a debt or general obligation of the City, the State of Maryland or any other subdivision of the State of Maryland or (ii) a pledge or an involvement of the faith and credit or the taxing powers of the City, the State of Maryland, or any other subdivision of the State of Maryland.

SECTION 8. AND BE IT FURTHER ORDAINED, That the City hereby authorizes the Board of Finance, unless the City shall otherwise prescribe prior to the issuance and delivery of the Revenue Obligations, by resolution to take the following actions and to make the following commitments on behalf of the City:

- (1) to covenant that, subject to applicable law and public policy, in each fiscal year in which any Revenue Obligations are outstanding, the City shall use its best efforts to obtain the appropriation of Hotel Tax Revenues, Tax Increment Revenues and the Personal Property Tax Revenues in the amount specified in the Indenture;
- (2) to determine the form, terms, and provisions of the Revenue Obligations, including the principal amount, rate or rates of interest, denomination or denominations, date or dates and maturity or maturities of the Revenue Obligations, the time or times of issuance thereof and any and all other details of the Revenue Obligations;
- (3) to determine the manner or method of issuing and selling the Revenue Obligations (including negotiated or competitive bid sale), the terms upon which the Revenue Obligations are to be sold and the selection of the underwriters or placement agents for the Revenue Obligations;

- (4) to prepare and distribute such preliminary and final official statements or placement memoranda as the Board of Finance deems necessary and appropriate in connection with the sale of the Revenue Obligations;
- (5) to approve the terms and provisions of the Indenture, which may (i) pledge and assign the Pledged Revenues, (ii) authorize other security for the Revenue Obligations, including bond insurance or any other financial guaranty, subject to the provisions of applicable law and this Ordinance, (iii) permit the assignment of the City's obligations under the Indenture and the Pledged Revenues as is in the public interest, (iv) permit that Hotel Revenues be used or applied solely to pay debt service on the Revenue Obligations, to fund operating and other reserve funds, to repay other obligations of the Hotel or the Hotel Corporation and otherwise as forth in the Indenture, and (v) contain whatever other provisions are deemed reasonable and proper for the security of the Bondholders, and appoint a Trustee for the Revenue Obligations;
- (6) to approve the terms and provisions of the Loan Agreement, including the security for the repayment and other obligations of the Hotel Corporation thereunder;
- (7) to approve the terms and provisions of any other documents as the Board of Finance deems necessary or appropriate in connection with the issuance of the Revenue Obligations;
- (8) to grant liens and encumbrances in the City's interest or interests in the Hotel and related improvements to secure the Revenue Obligations and the Refunding Obligations to the extent permitted by applicable law; and
- (9) to perform any and all actions necessary or deemed appropriate by such Board in order to effect the issuance, sale and delivery of the Revenue Obligations in accordance with and pursuant to this Ordinance.

SECTION 9. AND BE IT FURTHER ORDAINED, That, prior to the sale of the Revenue Obligations, the Board of Finance, unless the City shall otherwise prescribe, may determine by resolution:

- (1) provisions for authentication and delivery of the Revenue Obligations;
- (2) the manner of registration and transfer of the Revenue Obligations;
- (4) provisions for creation, holding and disbursement of the funds and accounts to be held by the Trustee or the City in connection with the Revenue Obligations;
- (5) provisions for the security for and investment of moneys and securities held by the Trustee;
- (6) remedies for Bondholders in the event of default;
- (7) the duties, rights and immunities of the Trustee;
- (8) the manner of execution of instruments by Bondholders and the method of proof of ownership of the Revenue Obligations;
- (9) provisions for modification of this Ordinance;
- (10) provisions for defeasance of the Revenue Obligations; and
- (11) such other matters in connection with the transactions contemplated herein as may be deemed appropriate by the Board of Finance.

Any resolution or resolutions adopted pursuant to this Ordinance shall be deemed to be of an administrative nature.

SECTION 10. AND BE IT FURTHER ORDAINED, That,

- (a) The Revenue Obligations shall be executed in the name of the City and on its behalf by the Mayor, by manual or facsimile signature. The corporate seal of the City or a facsimile of it shall be impressed or otherwise reproduced on the Revenue Obligations and attested by the Custodian or Alternate Custodian of the City Seal by manual, or facsimile signature.
- (b) The Indenture, the Loan Agreement and each and every other document the Board of Finance considers necessary for the issuance, sale and delivery of the Revenue Obligations shall be executed in the name of the City and on its behalf by the Mayor or Director of Finance, by manual signature and, if necessary, the corporate seal of the City or a facsimile of it shall be impressed or otherwise reproduced on the documents and attested by the Custodian or Alternate Custodian of the City Seal, by manual signature.
- (c) If any officer whose signature or countersignature or a facsimile of whose signature or countersignature appears on the Revenue Obligations or any other document ceases to be an officer before the delivery of the Revenue Obligations or any other document, the signature or countersignature or the facsimile shall nevertheless be valid and sufficient for all purposes, as if the officer had remained in office until delivery.
- (d) The Mayor, the Director of Finance, the Custodian of the City Seal and the Alternate Custodian of the City Seal, and other officials of the City are authorized and empowered to do all acts and things and execute all documents and certificates as the Board of Finance determines to be necessary to carry out the provisions of this Ordinance.

SECTION 11. AND BE IT FURTHER ORDAINED, That the Board of Finance is hereby authorized to refund or advance refund the Revenue Obligations, at any time or from time to time, through the issuance of Refunding Obligations. Refunding Obligations shall be issued pursuant to one or more resolutions adopted by the Board of Finance, which resolution(s) shall specify (i) the terms and conditions upon which the Refunding Obligations will be issued, (ii) the plan or method by which the Revenue Obligations will be refunded, and (iii) such other matters as the Board of Finance shall deem necessary or advisable to determine by resolution including, but not limited to, the powers enumerated in Section 8 and Section 9 herein pertaining to Revenue Obligations. It is hereby expressly provided that the issuance of Refunding Obligations hereunder shall not be subject to any dollar limitations set forth in this Ordinance; provided, however, that the proceeds of such Refunding Obligations shall be used solely to refund Revenue Obligations and pay costs associated therewith (including, without limitation, the costs of issuing such Refunding Obligations). The Refunding Obligations shall be secured as set forth in Section 7 of this Ordinance, subject to any changes to such security as shall be set forth in the resolution of the Board of Finance described in this Section 11. The Tax Increment Revenues, the Hotel Tax Revenues and the Personal Property Tax Revenues, however, are not irrevocably pledged to the payment of the principal of and interest on the Refunding Obligations or to the other purposes provided in the Indenture and the obligation to make any such payment is subject to annual appropriation by the City. Refunding Obligations issued under this Ordinance and the Indenture do not constitute, within the meaning of Article XI, Section 7 of the Constitution of Maryland or any other Constitutional, statutory or charter provision, (i) a debt or general obligation of the City, the State of Maryland or any other subdivision of the State of Maryland or (ii) a pledge or an involvement of the faith and credit or the taxing powers of the City, the State of Maryland, or any other subdivision of the State of Maryland.

SECTION 12. AND BE IT FURTHER ORDAINED, That the Board of Finance is hereby authorized and empowered to adopt one or more resolutions from time to time, either before or after the issuance, sale and delivery of the Revenue Obligations and Refunding Obligations, to supplement the resolution or resolutions referred to in the provisions of Sections 8, 9 and 11 hereof, and thereby approve amendments or supplements to or

substitutes for the forms and provisions of the Revenue Obligations, the Refunding Obligations, the Indenture, the Loan Agreement, and all other documents approved by such resolution or resolutions, provided that each supplemental resolution and each amendment, supplement or substitute shall be in accordance with the provisions of the Ordinance and the documents executed in connection with the Revenue Obligations and the Refunding Obligations and then in effect.

SECTION 13. AND BE IT FURTHER ORDAINED, That the Board of Finance may approve the issuance of and that the Revenue Obligations and Refunding Obligations may be issued in one or more series from time to time as the Board of Finance by resolution, adopted pursuant to this Ordinance, deems necessary or appropriate.

SECTION 14. AND BE IT FURTHER ORDAINED, That the City is empowered and authorized to enter into one or more interest rate exchange agreements or contracts providing for payments based on levels of or changes in interest rates, or combinations of the foregoing and to appoint any agents necessary to implement and administer the interest rate exchange agreements or contracts. The interest rate exchange agreements or contracts may be entered into in connection with, or incidental to, the Revenue Obligations or Refunding Obligations prior to, at the time of, or subsequent to, the issuance of any of the Revenue Obligations or Refunding Obligations. The Board of Finance, by resolution, may approve (i) the execution and delivery of the interest rate exchange agreement or contract, (ii) the final form, terms and provisions of the interest rate exchange agreement or contract, after giving due consideration to the creditworthiness of the counterparty or counterparties, and (iii) such other matters in connection with the transactions contemplated by the interest rate exchange agreement or contract as may be deemed appropriate by the Board of Finance.

SECTION 15. AND BE IT FURTHER ORDAINED, That, if any action on any matter delegated to the Board of Finance, or authorized for implementation by the Board of Finance shall not be acted upon by the Board of Finance, such actions and matters may be acted upon or implemented by a resolution, approved by the City Council of the City, which is subsequently approved by the Mayor or acting Mayor of the City.

SECTION 16. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance are severable, and if any provision, sentence, clause, section or part thereof is held illegal, invalid or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or its application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein, and if the person or circumstances to which this Ordinance or any part thereof is inapplicable had been specifically exempted therefrom.

SECTION 17. AND BE IT FURTHER ORDAINED, That in the construction of this Ordinance the singular number shall include the plural number and the plural the singular.

SECTION 18. AND BE IT FURTHER ORDAINED, That this Ordinance shall take effect on the date it is enacted.

EXHIBIT A

Description of Land

EDITOR'S NOTE

The Exhibit in this Ordinance is not reproduced here. It may be viewed in a copy of the Ordinance itself.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-129
(Council Bill 05-099)**

AN ORDINANCE CONCERNING

Rezoning – 801 North Broadway and 1712 East Madison Street

FOR the purpose of changing the zoning for the ~~property~~ properties known as 801 North Broadway and 1712 East Madison Street, as outlined in red on the accompanying amended plat, from the R-8 Zoning District to the B-2-3 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 47
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 47 of the Zoning District Maps is amended by changing from the R-8 Zoning District to the B-2-3 Zoning District the ~~property~~ properties known as 801 North Broadway and 1712 East Madison Street, as outlined in red on the amended plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-130
(Council Bill 05-100)**

AN ORDINANCE CONCERNING

Planned Unit Development – Designation – Kennedy Krieger Institute

FOR the purpose of approving the application of Madison Street Properties, Inc., a wholly owned subsidiary of the Kennedy Krieger Institute, owner and developer of certain property bounded by North Broadway, Ashland Avenue, Rutland Avenue, and East Madison Street and known as 801 North Broadway and 1712 East

Madison Street (the “Property”), to have that property designated a ~~Residential~~ Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 2 4
Baltimore City Revised Code
(Edition 2000)

Recitals

Madison Street Properties, Inc., a wholly owned subsidiary of the Kennedy Krieger Institute, is the owner and developer of property bounded by North Broadway, Ashland Avenue, Rutland Avenue, and East Madison Street, and known as 801 North Broadway and 1712 East Madison Street, consisting of 3.7 acres, more or less.

Madison Street Properties, Inc., will develop the property as a ~~Residential~~ Business Planned Unit Development for business uses: an outpatient children’s hospital, inpatient children’s hospital, a related research center, and a related outdoor “wellness garden/amphitheater”.

On March 23, 2005, representatives of the applicant met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the property and to institute proceedings to have the property designated a ~~Residential~~ Business Planned Unit Development.

The representatives of the applicant have now applied to the Baltimore City Council for designation of the property as a ~~Residential~~ Business Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of Madison Street Properties, Inc., owner and developer of the property bounded by North Broadway, Ashland Avenue, Rutland Avenue, and East Madison Street, and known as 801 North Broadway and 1712 East Madison Street, consisting of 3.7 acres, more or less, as outlined on the accompanying Development Plan entitled “Kennedy Krieger Institute”, dated April 4 30, 2005, consisting of Sheet A1, “Vicinity Map”, dated April 4 30, 2005; Sheet A2, “Existing Site”, dated April 4 30, 2005; Sheet A3, “Proposed Development Plan”, dated April 4 30, 2005; Sheet A4, “Phase 1”, dated April 4 30, 2005, Sheet A5, “Landscape”, dated April 4 30, 2005; and Sheet A6, “Massing Study Diagram”, dated April 4 30, 2005, to designate the property a ~~Residential~~ Business Planned Unit Development under Title 9, Subtitles 1 and 2 4 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by Madison Street Properties, Inc., is approved.

SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title 9, Subtitles 1 and 2 4, the following uses are allowed within the Planned Unit Development:

- (a) The following ~~R-8~~ B-2 uses are allowed on the property within the PUD:

Inpatient children’s hospital and outpatient children’s hospital.

- (b) Additionally, the following uses are permitted within the PUD:

Medical laboratory; research laboratory; office/business, governmental, and professional; and such retail uses as are permitted in the ~~B-1~~ B-2 Zoning District and are consistent with a hospital operation, with the exception of establishments that sell alcoholic beverages.

- (c) In addition, parking, open off-street areas, other than accessory, for the parking of 4 or more automobiles is permitted with the Phase 2 and Phase 3 areas of the Planned Unit Development.
- (d) Uses allowed under this Planned Unit Development, but disallowed by any governing Urban Renewal Plan, are allowed in the Planned Unit Development to the extent they are specifically provided for in the approved Development Plan.

SECTION 4. AND BE IT FURTHER ORDAINED, That the following design features will be allowed in the buildings constructed within the PUD, notwithstanding provisions of relevant Urban Renewal Ordinances or of the Zoning Code of Baltimore City:

- (a) ~~Buildings whose property lines touch on Ashland Avenue, Wolfe Street, Washington Street, or Chester Street are required to have their entrances on that street; however, if a building's use and design requires it to have a vehicular drop-off point, the entrance of the building may be behind the drop-off point, accessible from the street but within the building's property line.~~
- (b) ~~Due to the legal requirements for patient confidentiality and privacy, particularly as it relates to patient theory and other treatment, and because the buildings to be constructed within the PUD are "Green Buildings", tinted or mirrored glass may be used in buildings.~~
- (c) ~~The height restrictions of the buildings to be constructed are as follows:~~
 Minimum height - 60 feet and maximum height - 140 feet.
- (d) ~~The loading and service areas of the buildings must be located on East Madison Street and/or Rutland Avenue.~~
- (e) ~~The Floor Area Ratio to be applied to the Planned Unit Development Area is 5.~~
- (f) ~~Building massing generally must conform to the buildings in the surrounding vicinity. Buildings or groups of buildings may include a variety of forms, materials, and colors, provided that these elements are composed to maintain a unified appearance.~~
- (g) ~~Roof designs must minimize the negative impact of roof protrusions and mechanical elements by grouping them. All rooftop mechanical and electrical equipment must be screened from pedestrians at the street level.~~
- (h) ~~Openings of buildings must conform to that of buildings in the surrounding vicinity.~~
- (i) ~~The entrance of a building must be designed to be easily identifiable as the primary point of access.~~
- (j) ~~All facades facing the street must be masonry, brick, glass, metal (at the penthouse level or as an accent feature) or precast.~~

SECTION 5 4. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the property are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 5. AND BE IT FURTHER ORDAINED, That the Planning Department may determine what constitutes minor or major amendments to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 6. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-131
(Council Bill 05-159)**

AN ORDINANCE CONCERNING

**Urban Renewal – Carroll Camden –
Amendment 1**

FOR the purpose of amending the Urban Renewal Plan for Carroll Camden to make a minor project boundary change in the text of the Plan and in the Exhibits; 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.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Carroll Camden was originally approved by the Mayor and City Council of Baltimore by Ordinance 02-296, dated March 6, 2002.

An amendment to the Urban Renewal Plan for Carroll Camden is necessary to make a minor project boundary change in the text of the Plan and in the Exhibits.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Carroll Camden are approved:

- (1) In Section A. Project Description of the Plan, amend the first paragraph of the Boundary Description to read as follows:

Beginning for the same at a point formed by the intersection of the east side of South Eutaw Street and the [north] SOUTH side of Camden Street; thence binding on the [north] SOUTH side of said Camden Street westerly [385] 750 feet, more or less, [; to the intersection formed by the east side of South Paca Street and the north side of Camden Street; thence binding on the east side of South Paca Street northerly to a point formed by the intersection of the east side of South Paca Street and the northwest side of Washington Boulevard extended; thence southwesterly to a point formed by] TO the center line of Russell Street [and the northwest side of Washington Blvd.]; thence [southerly] binding on the center line of Russell Street SOUTHERLY to a point formed by the intersection of Russell Street and the center line of Martin Luther King, Jr. Boulevard;

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Carroll Camden, as amended by this Ordinance and identified as “Urban Renewal Plan, Carroll Camden, revised to include Amendment 1, dated March 23, 2005”, is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 3. AND BE IT FURTHER ORDAINED, That Exhibit 1, “Land Acquisition”, Exhibit 2, “Land Disposition”, Exhibit 3, “Land Use Plan”, and Exhibit 4, “Zoning Districts”, all revised to reflect changes in the Plan, dated March 23, 2005, are approved.

SECTION 4. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 5. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 6. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O’MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-132
(Council Bill 05-160)**

AN ORDINANCE CONCERNING

**Urban Renewal – Inner Harbor West –
Amendment 2**

FOR the purpose of amending the Urban Renewal Plan for Inner Harbor West to close certain right-of-way and air-rights, make a minor project boundary change, delete and incorporate certain development areas to create a new development area, make certain land use changes including the incorporation of easements, make certain technical corrections in the text to comply with newly created Exhibits showing current property, rights-of-way, and alignment conditions, include new sign provisions in Exhibit G, and eliminate Exhibit E, Right-of-Way Adjustments, from this 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.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Inner Harbor West was originally approved by the Mayor and City Council of Baltimore by Ordinance 71-1007 and last amended by a Minor Amendment approved by the Board of Estimates on January 2, 1992.

An amendment to the Urban Renewal Plan for Inner Harbor West is necessary to close certain right-of-way and air-rights, make a minor project boundary change, adjust the area and standards of certain development parcels for future commercial-residential use, create new development area, make certain land use changes including the incorporation of easements, include new sign provisions in Exhibit G, create new Exhibits to the Plan showing current conditions, and eliminate Exhibit E from the Plan.

Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in any approved renewal plan unless the change is approved in the same manner as that required for the approval of a renewal plan.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Inner Harbor West are approved:

(1) Amend II. A. of the Plan to read as follows:

A. Boundaries of the Urban Renewal Area

The boundaries of Inner Harbor West (hereinafter referred to as “Renewal Area” or “Project”) are shown on Exhibit A, entitled “Land Acquisition”, and are described as follows:

Beginning for the same at the point formed by the intersection of the south side of Lombard Street, as now laid out, and the west side of Charles Street, as now laid out 49.5 feet wide, and running thence binding on the west side of said Charles Street, crossing Pratt Street, Camden

Street, and Conway Street, the two following courses and distances; namely, South 03°-38'-40" East 1333.56 feet and South 04°-02'-40" East 237.62 feet to intersect the north side of Barre Street, as now laid out 66 feet wide; thence binding on the north side of said Barre Street, South 87°-06'-50" West 72.81 feet to intersect the west side of Charles Street, as now laid out 66 feet wide; thence binding on the west side of last said Charles Street, crossing said Barre Street, South 03°-18'-00" East 395.66 feet to intersect the north side of Lee Street, as now laid out 82.5 feet wide; thence binding on the north side of said Lee Street, South 87°-09'-20" West 326.93 feet to intersect the west side of Hanover Street, as now laid out 66 feet wide; thence binding on the west side of said Hanover Street, crossing Lee Street, York Street, Hill Street, and Hughes Street, South 02°-52'-30" East 676.73 feet to intersect the south side of Hughes Street, as now laid out 20 feet wide; thence binding in part on the southside of said Hughes Street, in part on the line of the south side of said Hughes Street if projected westerly and in all, Westerly 487 feet, more or less, to intersect the southwest side of Montgomery Street, as now laid out; thence binding on the southwest side of said Montgomery Street, crossing Sharp Street, Northwesterly 81 feet, more or less, to intersect the northwest side of Sharp Street, as now laid out; thence binding on the northwest side of said Sharp Street, crossing Montgomery Street and Hill Street, northeasterly 253 feet, more or less, to the northwest corner of Hill Street, as now laid out 82.5 feet wide, and Sharp Street, as now laid out 66 feet wide between Hill Street and Camden Street; thence binding on the west side of last said Sharp Street, crossing Lee Street, Northerly 994 feet, more or less, to intersect the south side of Camden Street, as now laid out 66 feet wide; thence binding on the south side of said Camden Street, Westerly [653] 1403 feet, more or less, to [intersect the east side of Eutaw Street, as now laid out; thence binding on the east side of said Eutaw Street, crossing said Camden Street, Northerly 66 feet, more or less, to intersect the north side of said Camden Street; thence binding on the north side of said Camden Street, crossing said Eutaw Street, Westerly 382 feet, more or less, to intersect the east side of Paca Street, as now laid out; thence binding on the east side of said Paca Street, crossing Pratt Street and Lombard Street, Northerly 836] THE CENTER LINE OF RUSSELL STREET; THENCE BY A STRAIGHT LINE, NORTHERLY 66 FEET, MORE OR LESS, TO INTERSECT THE NORTHWEST SIDE OF WASHINGTON BOULEVARD; THENCE BINDING ON THE NORTHWEST SIDE OF SAID WASHINGTON BOULEVARD, NORTHEASTERLY 563 FEET, MORE OR LESS, TO INTERSECT THE EAST SIDE OF PACA STREET; THENCE BINDING ON THE EAST SIDE OF SAID PACA STREET, CROSSING PRATT STREET, NORTHERLY 572 feet, more or less, to intersect the north side of Lombard Street, as now laid out; thence binding on the north side of said Lombard Street, crossing said Eutaw Street, Easterly 722 feet, more or less, to intersect the west side of Howard Street, as now laid out 80 feet wide; thence binding on the west side of said Howard Street, as now laid out 80 feet wide; thence binding on the west side of Howard Street, Northerly 14 feet, more or less, to intersect the north side of said Lombard Street, thence binding on the north side of said Lombard Street, crossing said Howard Street, Easterly 380 feet, more or less, to intersect the west side of Hopkins Place, as now laid out; thence by a straight line, crossing said Lombard Street, Southeasterly 85 feet, more or less, to the southwest corner of said Lombard Street and said Hopkins Place and thence binding on the south side of said Lombard Street, crossing said Hopkins Place and Hanover Street, Easterly 831 feet, more or less, to the place of beginning.

(2) Amend III.A. and B. of the Plan to read as follows:

- A. Land and property interests now owned or to be acquired by the City within the Renewal Area will be disposed of by sale, lease, conveyance, transfer or other means available to the City, in accordance with Exhibits B, "Development Areas", and C, "[Proposed] Land Use", and the other provisions of this Renewal Plan.
- B. The Areas shown as available for disposition in Exhibit B, "Development Areas" C, "[Proposed] Land Use", and FORMER E, "Right of Way Adjustment" are schematic and approximate, and the Department shall have the right, in its discretion, to fix their precise boundaries and size. The

Department shall also have the right, in order to facilitate the most advantageous development of the Project, to subdivide or combine the Development Areas.

(3) Amend IV.A. and B.1. of the Plan to read as follows:

A. Land Use Map

Exhibit C, entitled “[Proposed] Land Use”, shows in schematic form, the [proposed] locations of street rights-of-way, and all residential, commercial-residential, commercial, and public uses of land for the Project.

B. Land Use Provisions

1. General: In order to achieve the objectives of the Renewal Plan, the uses defined in subsections [B2] B.2. and [B3] B.3. below, are the only uses permitted on property to be acquired in the Project, as well as on Parcel “F” of the property not to be acquired.

(4) Amend IV.B.2.c.(3) of the Plan to read as follows:

(3) Transient Housing/HOTEL

(5) Amend IV.B.3.e. of the Plan to read as follows:

- e. Transient Housing/HOTEL: Facilities for lease as an accommodation to persons not establishing housekeeping.

(6) Amend V.A., B., and C. of the Plan to read as follows:

A. Applicability:

In order to achieve the objectives of the Renewal Plan, the following “Standards and Controls”, defined in sub-sections [B] B. through [O] O. below, shall be applied to the separate Development Areas. These provisions shall be included, where appropriate, in agreements, leases, deeds, and other instruments whereby land or interests in real property in the Project are disposed of by the City to developers and shall be incorporated where appropriate in covenants running with such land or interests in real property.

B. Size of Facilities:

The minimum and maximum sizes of the various types of facilities in each Development Area shall be determined by the Department, provided that the aggregate size of the following types of facilities (as defined in Section [IV B3] IV.B.3.) within the Project Area shall be:

1. Office and Retail - not less than 1,000,000 square feet of net building area.
2. Housing - not less than 600 nor more than 2,500 dwelling units.
3. Parking - not less than 1,900 parking spaces nor more than 7,000 parking spaces.

C. Parking:

Parking shall be provided and maintained within the Project by developers as required by the Department. For purposes of this sub-section, the Mayor and City Council of Baltimore and any body corporate, public or private, public agency, partnership or person, and any of the foregoing entities operating public parking facilities shall be considered a developer.

The Department, in establishing the minimum and maximum sizes of parking facilities in the following Development Areas, shall establish no minimum lower than that shown below, except where offset by an increase in an adjacent block:

<u>Development Area</u>	<u>No. of Spaces</u>
1a	250
2a	100
3a and/or 3c	400
5a	400
[6a	250]
[7a	300]
7	550
10	350

In addition, the number of spaces required in Development Areas 11 and 12 shall aggregate at least 240 spaces.

All parking within any Development Area, except Development Areas 2a, 10, 10a, 11 and 12, shall be enclosed within structures and roofed, so as to be screened from public view, provided that limited open-air surface parking spaces be permitted in any Development Area at the discretion of the Department, sub-section [O] O. below notwithstanding.

(7) Amend V.E.2. and V.F. of the Plan to read as follows:

E. Access:

2. Vehicular: Vehicular access to each Development Area will be controlled as detailed in sub-section [O] O. below.

F. Easements:

In addition to those easements shown on FORMER Exhibit E, easements for utilities, public transit, and private and public access and passage may be reserved or granted by the Department in any Development Area for the purpose of adequately servicing the Project. Such easements may be disposed of to developers. For purposes of this sub-section, the Mayor and City Council of Baltimore and any body corporate, public or private, public agency, partnership or person, and any of the foregoing entities operating public utilities or public transit facilities shall be considered a developer.

(8) Amend V.I. of the Plan to read as follows:

I. Setbacks:

No buildings shall be constructed in setback areas as determined by the Department pursuant to sub-section [H] H. above, provided, however, that the height and coverage limitations provided in sub-section [O] O. below, shall not be exceeded.

(9) After the first 2 paragraphs of V.O. in the Plan, amend the header sentence to read as follows:

Development Areas 1B, 2B, 3B, 3D, 4B, 5B, [6B, 7B,] 8B, 9B, 10A

and, in V.O., amend Development Areas 6A and 7A to read as follows:

Development Area [6A] 7 (WEST OF EUTAW STREET)

- a. General Use: Commercial - Residential
- b. Building Requirements:
 - i. Maximum permitted height: 342.0 feet \pm above grade
 - ii. Maximum permitted coverage: 80%
 - iii. Setbacks: Paca Street - As required to maintain a 20-ft. sidewalk (\pm 4.0 ft.)
 - Pratt Street - None
 - Eutaw Street - None
 - Camden Street: As required to maintain a 17-ft. sidewalk (\pm 4.0 ft.)
- c. Parking: Not less than [250] 550 spaces
- [d. Vehicular Access: None allowed from Pratt or Paca Street north of the median]

Development Area [7A] 7 (EAST OF EUTAW STREET)

- a. General Use: Commercial - Residential and Public Park
- b. Building Requirements:
 - i. Maximum permitted height: El. 150.0' \pm
 - ii. Maximum permitted coverage: 65%
 - iii. Setbacks: Camden Street - As required to maintain a 17-ft sidewalk (\pm 7 ft.)
 - Eutaw Street - None
 - Pratt Street - None
 - Howard Street - As required to maintain a 20-ft. sidewalk (\pm 4 ft.)
- [c. Parking: Not less than 300 spaces.]
- [d. Vehicular Access: None allowed from Pratt or Camden Streets]

(10) Amend IX.A.2. and A.3. of the Plan to read as follows:

2. Passage of Ordinance amending the Zoning Ordinance in accordance with Exhibit D “[Proposed] Zoning”.
3. Passage of Ordinance opening and closing streets and alleys in accordance with FORMER Exhibit E “Right-of-way Adjustments”, EXHIBIT A “LAND ACQUISITION”, AND EXHIBIT B “DEVELOPMENT AREAS”.

(11) Amend Exhibit G, Section D.2. by adding new subsection g. to read as follows:

- G. FLAGS AND BANNERS MAY BE DISPLAYED ON A TEMPORARY AND PERMANENT BASIS, SUBJECT TO OBTAINING THE NECESSARY MINOR PRIVILEGE PERMIT, SO LONG AS THE BANNER MATERIAL IS NOT FADED, TORN, OR FRAYED, AND THE POLES ARE WELL MAINTAINED. BANNERS SHOULD BE DISPLAYED ONLY FROM BUILDINGS AT LEAST 2 STORIES HIGH AND MAY NOT BE LESS THAN 10 FEET ABOVE THE SIDEWALK. ALL BANNER POLES ALONG ONE STREET SHOULD BE SET AT THE SAME ANGLE FROM THE HORIZONTAL PLANE. BANNERS MAY PROJECT UP TO ONE-THIRD THE WIDTH OF THE SIDEWALK BUT NOT MORE THAN 5 FEET, WHICHEVER IS GREATER. PROVISION FOR FLAGS AND BANNERS MUST OTHERWISE CONFORM TO THE PROVISIONS OF THE CITY ORDINANCES.

(12) Amend Exhibit G, Section D.3.b. to read as follows:

- b. The area of a projecting sign shall not exceed [four] SIX square feet.

SECTION 2. AND BE IT FURTHER ORDAINED, That it is necessary to acquire, by purchase or condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and to the following properties or portions thereof, together with all right, title, interest and estate that the owner or owners of said property interests may have in all streets, alleys, ways, or lanes, public or private, both abutting the whole area described and/or contained within the perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

200 Block of South Eutaw Street between West Pratt and Camden Streets
(26,613 square feet, more or less)

200 Block of South Howard Street between West Pratt and Camden Streets
(2,850 square feet, more or less, of air-rights)

SECTION 3. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Inner Harbor West, as amended by this Ordinance and identified as “Urban Renewal Plan, Inner Harbor West, revised to include Amendment 9, dated March 23, 2005”, is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

SECTION 4. AND BE IT FURTHER ORDAINED, That Exhibit A, “Land Acquisition”, Exhibit B, “Development Areas”, Exhibit C, “Land Use”, and Exhibit D, “Zoning Districts”, all dated March 23, 2005, are amended to reflect the changes in the Renewal Plan. Exhibit E, “Right-of-Way Adjustments”, dated March 23, 2005, is being eliminated from the group of Exhibits to this Renewal Plan with the ability to review former Exhibit E as necessary.

SECTION 5. AND BE IT FURTHER ORDAINED, That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is exempted from them.

SECTION 6. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

SECTION 7. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

SECTION 8. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-133
(Council Bill 05-163)**

AN ORDINANCE CONCERNING

**City Streets – Opening –
Eutaw Street**

FOR the purpose of condemning and opening Eutaw Street, extending from Pratt Street southerly to Camden Street, as shown on Plat 347-A-69 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions

Section 4

and

Article II - General Powers

Sections 2, 34, and 35

Baltimore City Charter

(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open Eutaw Street, extending from Pratt Street southerly to Camden Street, and more particularly described as follows:

Beginning for Parcel No.1 at the point formed by the intersection of the south side of Pratt Street, 56 feet wide and the west side of Eutaw Street, 84 feet wide, and running thence binding on the south side of said Pratt Street, Easterly, 84.0 feet to intersect the east side of said Eutaw Street; thence binding on the east side of said Eutaw Street, Southerly 323.3 feet, more or less, to intersect the north side of Camden

Street, 61 feet wide; thence binding on north side of said Camden Street, Westerly 84.0 feet to intersect the west side of said Eutaw Street, and thence binding on the west side of said Eutaw Street, Northerly 323.6 feet, more or less, to the place of beginning.

As delineated on Plat 347-A-69, prepared by the Survey Control Section and filed on January 13, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of Eutaw Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-134
(Council Bill 05-164)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
Eutaw Street**

FOR the purpose of condemning and closing Eutaw Street, extending from Pratt Street southerly to Camden Street, as shown on Plat 347-A-69A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close Eutaw Street, extending from Pratt Street southerly to Camden Street, and more particularly described as follows:

Beginning for Parcel No.1 at the point formed by the intersection of the south side of Pratt Street, 56 feet wide and the west side of Eutaw Street, 84 feet wide, and running thence binding on the south side of said Pratt Street, Easterly, 84.0 feet to intersect the east side of said Eutaw Street; thence binding on the east side of said Eutaw Street, Southerly 323.3 feet, more or less, to intersect the north side of Camden Street, 61 feet wide; thence binding on north side of said Camden Street, Westerly 84.0 feet to intersect

the west side of said Eutaw Street, and thence binding on the west side of said Eutaw Street, Northerly 323.6 feet, more or less, to the place of beginning.

As delineated on Plat 347-A-69A, prepared by the Survey Control Section and filed on January 13, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of Eutaw Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-135
(Council Bill 05-165)**

AN ORDINANCE CONCERNING

City Streets – Opening – Howard Street

FOR the purpose of condemning and opening Howard Street, extending from Pratt Street southerly to Camden Street, as shown on Plat 346-A-53 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open Howard Street, extending from Pratt Street southerly to Camden Street, and more particularly described as follows:

Beginning for Parcel No.1 at the point formed by the intersection of the west side of Howard Street, as originally laid out 82.5 feet wide, and the south side of Pratt Street, as now laid out 56 feet wide, and running thence binding on the south side of said Pratt Street, Easterly 82.5 feet to intersect the east side of said Howard Street; thence binding on the east side of said Howard Street, Southerly 321.7 feet, more or less, to intersect the line of the north side of Camden Street, as now laid out 61 feet wide, if projected easterly; thence binding reversely on the line of the north side of said Camden Street, so projected, Westerly 82.5 feet, to intersect the west side of said Howard Street, and thence binding on the west side of said Howard Street, Northerly 322.0 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-53, prepared by the Survey Control Section and filed on April 28, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of Howard Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-136
(Council Bill 05-166)**

AN ORDINANCE CONCERNING

City Streets – Closing – Air Rights over Howard Street

FOR the purpose of condemning and closing air rights over Howard Street, extending from a point 158.82 feet south of Pratt Street southerly 29.50 feet, as shown on Plat 346-A-53A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close air rights over Howard Street, extending from a point 158.82 feet south of Pratt Street southerly 29.50 feet, and more particularly described as follows:

Beginning for Parcel No. 1 at a point on the east side of Howard Street, 95 feet wide, distant South 02° 50' 20" East 158.82 feet measured along the east side of said Howard Street from the south side of Pratt Street, as now laid out 56 feet wide, and at a horizontal plane having an elevation of 50.0 feet and ascending to an elevation of unlimited height, and running thence binding on the east side of said Howard Street, South 02° 50' 20" East 29.50 feet; thence by a straight line, South 87° 08' 50" West 86.46 feet to intersect the eastern line of the Central Light Rail Line Franchise Area; thence binding on the eastern line of said Franchise Area, North 03° 12' 28" West 29.50 feet, and thence by a straight line, North 87° 08' 50" East 86.65 feet to the place of beginning.

Beginning for Parcel No. 2 at a point on the west side of Howard Street, 95 feet wide, distant South 02° 50' 20" East 158.82 feet measured along the west side of said Howard Street from the south side of Pratt Street, as now laid out 56 feet wide, and at a horizontal plane having an elevation of 58.4 feet and ascending to an elevation of unlimited height, and running thence by a straight line, North 87° 02' 50" East 8.35 feet to intersect the eastern line of the Central Light Rail Line Franchise Area; thence binding on the eastern line of said Franchise Area, South 03° 12' 28" East 29.50 feet; thence by a straight line, South 87° 08' 50" West 8.54 feet to intersect the west side of said Howard Street, and thence binding on the west side of said Howard Street, North 02° 50' 20" West 29.50 feet to the place of beginning.

All courses and distances in the above descriptions are referred to the true meridian as adopted by the Baltimore Survey Control System.

As delineated on Plat 346-A-53A, prepared by the Survey Control Section and filed on April 28, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of the air rights over Howard Street and the rights of all interested parties shall be regulated by and in

accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-137
(Council Bill 05-170)**

AN ORDINANCE CONCERNING

Rezoning – 1100 and 1110 East Baltimore Street

FOR the purpose of changing the zoning for the properties known as 1100 and 1110 East Baltimore Street (Ward 5, Section 7, Block 1338, Lots 1 and 2/3), as outlined in red on the accompanying amended plat, from the M-1-3 Zoning District to the B-3-3 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 56
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 56 of the Zoning District Maps is amended by changing from the M-1-3 Zoning District to the B-3-3 Zoning District the properties known as 1100 and 1110 East Baltimore Street (Ward 5, Section 7, Block 1338, Lots 1 and 2/3), as outlined in red on the amended plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-138
(Council Bill 05-180)**

AN ORDINANCE CONCERNING

**City Streets – Opening –
Concord Street**

FOR the purpose of condemning and opening Concord Street, extending from Pratt Street northerly 315.9 feet, more or less, to Lombard Street, as shown on Plat 346-A-50 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4
and
Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open Concord Street, extending from Pratt Street northerly 315.9 feet, more or less, to Lombard Street, and more particularly described as follows:

Beginning for Parcel No.1 at the point formed by the intersection of the east side of Concord Street, 50 feet wide, and the north side of Pratt Street, varying in width, and running thence binding on the north side of said Pratt Street, Westerly 50.2 feet, more or less, to intersect the west side of said Concord Street; thence binding on the west side of said Concord Street, Northerly 309.0 feet, more or less, to intersect the south side of Lombard Street, varying in width; thence binding on the south side of said Lombard Street, the two following courses and distances; namely, Easterly 1.25 feet and Northeasterly 46.7 feet, more or less, to intersect the east side of said Concord Street, and thence binding on the east side of said Concord Street, Southerly 322.7 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-50, prepared by the Survey Control Section and filed on February 17, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of Concord Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-139
(Council Bill 05-181)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
Concord Street**

FOR the purpose of condemning and closing Concord Street, extending from Pratt Street northerly 315.9 feet, more or less, to Lombard Street, as shown on Plat 346-A-50A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close Concord Street, extending from Pratt Street northerly 315.9 feet, more or less, to Lombard Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the east side of Concord Street, 50 feet wide, and the north side of Pratt Street, varying in width, and running thence binding on the north side of said Pratt Street, Westerly 50.2 feet, more or less, to intersect the west side of said Concord Street; thence binding on the west side of said Concord Street, Northerly 309.0 feet, more or less, to intersect the south side of Lombard Street, varying in width; thence binding on the south side of said Lombard Street, the two following courses and distances; namely, Easterly 1.25 feet and Northeasterly 46.7 feet, more or less, to intersect the east side of said Concord Street, and thence binding on the east side of said Concord Street, Southerly 322.7 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-50A, prepared by the Survey Control Section and filed on February 17, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of Concord Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-140
(Council Bill 05-182)**

AN ORDINANCE CONCERNING

Sale of Property – Concord 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 a certain parcel of land known as the former bed of Concord Street, extending from Pratt Street northerly to Lombard Street, and no longer needed for highway or public use; and providing for a special effective date.

BY authority of
Article V - Comptroller
Section 5(b)
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That, in accordance with Article V, § 5(b) of the City Charter, the City Comptroller may sell, at either public or private sale, all the interest of the Mayor and City Council of Baltimore in a certain parcel of land known as the former bed of Concord Street, extending from Pratt Street northerly to Lombard Street, and more particularly described as follows:

Beginning for the same at the point formed by the intersection of the east side of the former bed of Concord Street, 50 feet wide, and the north side of Pratt Street, varying in width, and running thence binding on the north side of said Pratt Street, Westerly 50.2 feet, more or less, to intersect the west side of the former bed of said Concord Street; thence binding on the west side of the former bed of said Concord Street, Northerly 309.0 feet, more or less, to intersect the south side of Lombard Street, varying in width; thence binding on the south side of said Lombard Street, the two following courses and distances; namely, Easterly 1.25 feet and Northeasterly 46.7 feet, more or less, to intersect the east side of the former bed of said Concord Street, and thence binding on the east side of the former bed of said Concord Street, Southerly 322.7 feet, more or less, to the place of beginning.

Subject to a full width Perpetual Easement for all Municipal Utilities and Services, not to be abandoned, over the entire hereinabove described parcel of land.

This property being no longer needed for public use.

SECTION 2. AND BE IT FURTHER ORDAINED, That no deed may pass under this Ordinance unless the deed has been approved by the City Solicitor.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-141
(Council Bill 05-196)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Operating Appropriation –
Baltimore City Police Department – \$750,000**

FOR the purpose of providing a Supplementary Federal Fund Operating Appropriation in the amount of \$750,000 to the Baltimore City Police Department – Program 201 (Field Operations), to provide funding to underwrite acquisition and installation of enhancements for the Closed Circuit Television Monitoring System; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the Office of Domestic Preparedness in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2006 was formulated.

On June 29, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$750,000 shall be made available to the Baltimore City Police Department – Program 201 (Field Operations) as a Supplementary Federal Fund Operating Appropriation for Fiscal Year 2006, to provide funding to underwrite acquisition and installation of enhancements for the Closed Circuit Television Monitoring System. The source of revenue for this appropriation is a grant from the Office of Domestic Preparedness in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-142
(Council Bill 05-197)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Operating Appropriation –
Baltimore City Police Department – \$4,081,157**

FOR the purpose of providing a Supplementary Federal Fund Operating Appropriation in the amount of \$4,081,157 to the Baltimore City Police Department – Program 201 (Field Operations), to provide funding for planning, equipment, training, exercises, management and administration to enhance the ability of State and local agencies to prevent, respond to, and recover from incidents of terrorism; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from the U.S. Department of Justice, Office of Justice Programs, Homeland Domestic Preparedness in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2006 was formulated.

On June 29, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$4,081,157 shall be made available to the Baltimore City Police Department – Program 201 (Field Operations) as a Supplementary Federal Fund Operating Appropriation for Fiscal Year 2006, to provide funding for planning, equipment, training, exercises, management and administration to enhance the ability of State and local agencies to prevent, respond to, and recover from incidents of terrorism. The source of revenue for this appropriation is a grant from the U.S. Department of Justice, Office of Justice Programs, Homeland Domestic Preparedness in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-143
(Council Bill 05-198)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
Police Department – \$255,614**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$255,614 to the Police Department – Program 224 (Office of Criminal Justice), to provide funding for operating the Truancy Center; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from FY 2005 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2006 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2006 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 29, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$255,614 shall be made available to the Police Department – Program 224 (Office of Criminal Justice) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2006, to provide funding for operating the Truancy Center. The source of revenue for this appropriation is from the FY 2005 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-144
(Council Bill 05-201)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$250,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$250,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide a grant to the Experience Corps Baltimore; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from FY 2005 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2006 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2006 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 29, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$250,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2006, to provide a grant to the Experience Corps Baltimore. The source of revenue for this appropriation is from the FY 2005 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-145
(Council Bill 05-202)**

AN ORDINANCE CONCERNING

**Supplementary General Fund Operating Appropriation –
MR-Miscellaneous General Expenses – \$250,000**

FOR the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$250,000 to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses), to provide a grant to the Family League of Baltimore City; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a grant from FY 2005 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2006 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2006 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 29, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$250,000 shall be made available to the MR-Miscellaneous General Expenses – Program 122 (Miscellaneous General Expenses) as a Supplementary General Fund Operating Appropriation for Fiscal Year 2006, to provide a grant to the Family League of Baltimore City. The source of revenue for this appropriation is the grant from the FY 2005 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-146
(Council Bill 05-203)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-320) to
the Baltimore City Public Schools (Account #9932-418-237) – \$2,000,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$2,000,000 from Department of Public Works (Account #9916-197-320) to the Baltimore City Public Schools (Account #9932-418-237); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$2,000,000, as appropriated to the Department of Public Works (Account #9916-197-320) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$2,000,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-320) to the Baltimore City Public Schools (Account #9932-418-237).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-147
(Council Bill 05-204)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-315) to
the Baltimore City Public Schools (Account #9932-418-064) – \$850,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$850,000 from Department of Public Works (Account #9916-197-315) to the Baltimore City Public Schools (Account #9932-418-064); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$850,000, as appropriated to the Department of Public Works (Account #9916-197-315) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$850,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-315) to the Baltimore City Public Schools (Account #9932-418-064).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-148
(Council Bill 05-205)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-316) to
the Baltimore City Public Schools (Account #9932-418-095) – \$1,375,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$1,375,000 from Department of Public Works (Account #9916-197-316) to the Baltimore City Public Schools (Account #9932-418-095); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$1,375,000, as appropriated to the Department of Public Works (Account #9916-197-316) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$1,375,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-316) to the Baltimore City Public Schools (Account #9932-418-095).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-149
(Council Bill 05-206)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-317) to
the Baltimore City Public Schools (Account #9932-418-122) – \$1,700,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$1,700,000 from Department of Public Works (Account #9916-197-317) to the Baltimore City Public Schools (Account #9932-418-122); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$1,700,000, as appropriated to the Department of Public Works (Account #9916-197-317) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$1,700,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-317) to the Baltimore City Public Schools (Account #9932-418-122).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-150
(Council Bill 05-207)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-319) to
the Baltimore City Public Schools (Account #9932-418-226) – \$1,000,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$1,000,000 from Department of Public Works (Account #9916-197-319) to the Baltimore City Public Schools (Account #9932-418-226); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$1,000,000, as appropriated to the Department of Public Works (Account #9916-197-319) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$1,000,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-319) to the Baltimore City Public Schools (Account #9932-418-226).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-151
(Council Bill 05-208)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-314) to
the Baltimore City Public Schools (Account #9932-418-031) – \$2,085,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$2,085,000 from Department of Public Works (Account #9916-197-314) to the Baltimore City Public Schools (Account #9932-418-031); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$2,085,000, as appropriated to the Department of Public Works (Account #9916-197-314) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$2,085,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-314) to the Baltimore City Public Schools (Account #9932-418-031).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-152
(Council Bill 05-209)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-312) to
The Baltimore City Public Schools (Account #9932-418-013) – \$500,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$500,000 from the Department of Public Works (Account #9916-197-312) to the Baltimore City Public Schools (Account #9932-418-013); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$500,000, as appropriated to the Department of Public Works (Account #9916-197-312) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$500,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from the Department of Public Works (Account #9916-197-312) to the Baltimore City Public Schools (Account #9932-418-013).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-153
(Council Bill 05-210)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-318) to
the Baltimore City Public Schools (Account #9932-418-222) – \$1,633,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$1,633,000 from Department of Public Works (Account #9916-197-318) to the Baltimore City Public Schools (Account #9932-418-222); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$1,633,000, as appropriated to the Department of Public Works (Account #9916-197-318) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$1,633,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-318) to the Baltimore City Public Schools (Account #9932-418-222).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-154
(Council Bill 05-211)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-212) to
the Baltimore City Public Schools (Account #9932-417-209) – \$4,867,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$4,867,000 from Department of Public Works (Account #9916-197-212) to the Baltimore City Public Schools (Account #9932-417-209); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$4,867,000, as appropriated to the Department of Public Works (Account #9916-197-212) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$4,867,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-212) to the Baltimore City Public Schools (Account #9932-417-209).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-155
(Council Bill 05-212)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-313) to
the Baltimore City Public Schools (Account #9932-418-020) – \$500,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$500,000 from Department of Public Works (Account #9916-197-313) to the Baltimore City Public Schools (Account #9932-418-020); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$500,000, as appropriated to the Department of Public Works (Account #9916-197-313) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$500,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-313) to the Baltimore City Public Schools (Account #9932-418-020).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-156
(Council Bill 05-213)**

AN ORDINANCE CONCERNING

**Bond Fund Capital Appropriation Transfer –
Department of Public Works (Account #9916-197-321) to
the Baltimore City Public Schools (Account #9932-418-401) – \$2,575,000**

FOR the purpose of transferring a Bond Fund Capital Appropriation in the amount of \$2,575,000 from Department of Public Works (Account #9916-197-321) to the Baltimore City Public Schools (Account #9932-418-401); and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 9(a)(2)
Baltimore City Charter
(1996 Edition)

Recitals

Article VI, § 9(a)(2) of the City Charter provides that, on recommendation of the Board of Estimates, the City Council by ordinance may authorize the transfer of an appropriation contained in the Ordinance of Estimates from one municipal agency to another municipal agency.

The sum of \$2,575,000, as appropriated to the Department of Public Works (Account #9916-197-321) in the Fiscal 2006 Ordinance of Estimates, is not needed for the purpose for which it was appropriated and, therefore, is available for transfer to another agency.

On June 29, 2005, the Board of Estimates recommended the transfer authorized by this Ordinance.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the sum of \$2,575,000, contained in the Fiscal 2006 Ordinance of Estimates as a Bond Fund Capital Appropriation, is transferred from Department of Public Works (Account #9916-197-321) to the Baltimore City Public Schools (Account #9932-418-401).

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-157
(Council Bill 05-218)**

AN ORDINANCE CONCERNING

Civil Citations – Repeal of “Sunset”

FOR the purpose of abrogating the automatic termination of Ordinance 03-595 {“Civil Citations”}; providing for a special effective date; and generally relating to the issuance and enforcement of civil citations.

BY repealing and reordaining, with amendments
Ordinance 03-595
Section(s) 4

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Ordinance 03-595

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted. [This Ordinance will remain in effect for 2 years; at the end of that period, with no further action by the

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted, retroactive to September 13, 2005.

Approved October 7, 2005

MARTIN O’MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-158
(Council Bill 05-236)**

AN ORDINANCE CONCERNING

**Supplementary Convention Center Hotel Loan Fund Capital
Appropriation – Department of Finance - \$305,000,000**

FOR the purpose of providing a Supplementary Convention Center Hotel Loan Fund Capital Appropriation in the amount of \$305,000,000 to the Department of Finance (Account #9908-146-031), to provide funds for the acquisition, construction, furnishing, and equipping of a convention center headquarters hotel in the City of Baltimore; and providing for a special effective date.

BY authority of
Article VI - Board of Estimates
Section 8(b)(1) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

Whereas, tourism, conventions, and convention-generated business activity have been cornerstones of the City of Baltimore's economic revitalization over the past 25 years;

Whereas, the acquisition, construction, furnishing, equipping, and operating of a convention center headquarters hotel (the "Hotel") will further improve economic development and increase employment opportunities in the City;

Whereas, construction of the Hotel will create a projected 663 construction-related jobs during development;

Whereas, once completed, the Hotel will support a projected 550 full-time equivalent jobs, with an annual payroll of \$19 million;

Whereas, the private-sector operator of the Hotel (Hilton Hotels Corporation) has committed to the hiring of City residents at all job levels;

Whereas, Hilton Hotels Corporation has committed to using the job training and other employment development resources available at the Mayor's Office of Employment Development;

Whereas, the Hotel will meet or exceed minority and women business enterprises (MBE/WBE) participation goals;

Whereas, minority and women businesses are projected to earn at least \$40 million as a result of the Hotel;

Whereas, the Hotel will sustain and enhance the City's tourism and hotel industry, as well as benefit many restaurants, retail shops, entertainment venues, and cultural attractions that depend on both visitors and local residents;

Whereas, the Hotel will pay a projected \$1.229 million in City taxes during Hotel construction, and a projected \$800,000 in other utility, parking, and piggyback City taxes per year;

Whereas, the City will receive all excess revenues or profit from the Hotel, projected at \$3.3 million in 2009, and increasing to approximately \$7 million beginning in 2013;

Whereas, notwithstanding all these direct benefits from the Hotel financing, the Hotel also has the potential to provide net revenue to the City for City-wide neighborhood projects; and

Whereas, it is appropriate for the City to finance the acquisition, construction, furnishing, and equipping of the Hotel:

This Ordinance provides for the supplementary appropriation of the proceeds (the "Bond Proceeds") of certain revenue bonds (the "Bonds") to be issued for the purpose of financing the acquisition, construction, furnishing, and equipping of a convention center headquarters hotel in the City of Baltimore. The Bonds shall be issued pursuant to a trust agreement (the "Indenture") by and between the City and a trustee for the Bonds (the "Trustee"), or a materially similar document. Pursuant to Article VII, Section 21 of the Baltimore City Charter, the Board of Finance (the "Board") is authorized to "determine all matters pertaining to the issuance and sale of certificates of indebtedness," which includes the Bonds. As approved by the Board, the Bond Indenture shall provide that the Bond Proceeds shall be used only for the purposes of financing the acquisition, construction, furnishing, and equipping of a convention center headquarters hotel.

As further approved by the Board, the Bond Proceeds shall be disbursed pursuant to a loan agreement (the "Loan Agreement") by and between the owner of the hotel and the Mayor and City Council of Baltimore, acting by and through the Department of Finance. The Loan Agreement provides that it shall be approved by the Board of Estimates and shall evidence the agreement of the City to disburse the funds, subject to certain conditions as provided for in the agreement and in the documents relating to the Bonds (the "Bond Documents").

The Bond Proceeds are in excess of those relied upon by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006. The Indenture provides that upon the sale of the Bonds, the Bond Proceeds will be held by the Trustee in trust for the holders of the Bonds and subject to the above-referenced limitations of the Indenture and other Bond Documents. Therefore, the Bond Proceeds do not represent revenue that would ever be relied upon by the Board of Estimates to determine the tax levy required to balance the Ordinance of Estimates for Fiscal Year 2006 or for any other year in which the Bond proceeds might be disbursed.

Therefore, to the extent required by law, the Board of Estimates on August 3, 2005, has recommended that the City Council of Baltimore approve this Supplementary Convention Center Hotel Loan Fund Capital Appropriation for the purpose of financing the acquisition, construction, furnishing, and equipping of a convention center headquarters hotel in the City of Baltimore, and has authorized the execution of any documents necessary to effectuate the disbursement of Bond Proceeds to the extent that such documents are not otherwise related to the issuance and sale of the certificates of indebtedness.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That to the extent required by law, an amount not to exceed \$305,000,000 shall be made available to the Department of Finance (Account #9908-146-031) as a Supplementary Convention Center Hotel Loan Fund Capital Appropriation for Fiscal Year 2006, to provide for the acquisition, construction, furnishing, and equipping of a convention center headquarters hotel in the City of Baltimore. The source of revenue for this appropriation is the proceeds of the Convention Center Hotel Revenue Bonds (the "Bond Proceeds"), in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006. The Bond Proceeds, subject to the Bond Documents as approved by the Board of Finance, are to be made available for disbursement through a loan agreement executed by the Mayor and City Council of Baltimore, acting by and through the Department of Finance and such other parties as may be necessary.

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

Approved October 7, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-159
(Council Bill 04-004)**

AN ORDINANCE CONCERNING

Rezoning — New East Baltimore Community

FOR the purpose of changing the zoning of the area outlined in red on the accompanying amended plat, consisting of the properties listed on Exhibit 1 attached to and made part of this Ordinance, together with

the adjoining roads, highways, alleys, rights-of-way, and other similar property, from the R-8 Zoning District to the B-2-3 Zoning District; and providing for a special effective date.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 47
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 47 of the Zoning District Maps is amended by changing from the R-8 Zoning District to the B-2-3 Zoning District the area outlined in red on the amended plat accompanying this Ordinance, consisting of the properties listed on Exhibit 1, attached to and made part of this Ordinance, together with the adjoining roads, highways, alleys, rights-of-way, and other similar property.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after the~~ date it is enacted.

Exhibit 1 Properties to be Rezoned

Ward 7, Section 50:

Block 1581

930 McDonogh Street
932 McDonogh Street
934 McDonogh Street
936 McDonogh Street
1713 East Eager Street
1711 East Eager Street
1709 East Eager Street
1707 East Eager Street
1705 East Eager Street
1703 East Eager Street
947 North Broadway
945 North Broadway
943 North Broadway
941 North Broadway
939 North Broadway
937 North Broadway
933-35 North Broadway
1702 Barnes Street
1704 Barnes Street

Block 1582

928 Rutland Avenue
930 Rutland Avenue
932 Rutland Avenue
934 Rutland Avenue
1747 East Eager Street
1745 East Eager Street
1743 East Eager Street
1741 East Eager Street
1739 East Eager Street
1737 East Eager Street
1735 East Eager Street
1733 East Eager Street
1731 East Eager Street
1729 East Eager Street
1727 East Eager Street
1725 East Eager Street
1723 East Eager Street
1721 East Eager Street
1719 East Eager Street
1717 East Eager Street
1715 East Eager Street
937 McDonogh Street
935 McDonogh Street
933 McDonogh Street
931 McDonogh Street
1712 Barnes Street
1714 Barnes Street
1716 Barnes Street
1718 Barnes Street
1720 Barnes Street
1722 Barnes Street
1728 Barnes Street

Block 1583

~~928 McDonogh Street~~
~~926 McDonogh Street~~
~~924 McDonogh Street~~
~~922 McDonogh Street~~
~~920 McDonogh Street~~
~~918 McDonogh Street~~
~~916 McDonogh Street~~
~~914 McDonogh Street~~
~~912 McDonogh Street~~
~~910 McDonogh Street~~
~~908 McDonogh Street~~
~~906 McDonogh Street~~
~~904 McDonogh Street~~
~~902 McDonogh Street~~
~~1714 Ashland Avenue~~
~~1712 Ashland Avenue~~
~~1710 Ashland Avenue~~
~~1708 Ashland Avenue~~

1706 Ashland Avenue
1704 Ashland Avenue

Block 1584

1746 Ashland Avenue
1744 Ashland Avenue
1742 Ashland Avenue
1740 Ashland Avenue
1738 Ashland Avenue
1736 Ashland Avenue
1734 Ashland Avenue
1732 Ashland Avenue
1728-1730 Ashland Avenue
1726 Ashland Avenue
1724 Ashland Avenue
1722 Ashland Avenue
1720 Ashland Avenue
1718 Ashland Avenue
1716 Ashland Avenue
903 McDonogh Street
905 McDonogh Street
907 McDonogh Street
909 McDonogh Street
911 McDonogh Street
913 McDonogh Street
915 McDonogh Street
917 McDonogh Street
919 McDonogh Street
921 McDonogh Street
923 McDonogh Street
925 McDonogh Street
927 McDonogh Street
929 McDonogh Street
1707 Barnes Street
1709 Barnes Street
1711 Barnes Street
1713 Barnes Street
1715 Barnes Street
1717 Barnes Street
926 Rutland Avenue
924 Rutland Avenue
922 Rutland Avenue
920 Rutland Avenue
918 Rutland Avenue
916 Rutland Avenue
914 Rutland Avenue
912 Rutland Avenue
910 Rutland Avenue
908 Rutland Avenue
906 Rutland Avenue
904 Rutland Avenue
902 Rutland Avenue
900 Rutland Avenue

901 Shuter Street
903 Shuter Street
905 Shuter Street
907 Shuter Street
909 Shuter Street
911 Shuter Street
913 Shuter Street
915 Shuter Street
917 Shuter Street
919 Shuter Street
921 Shuter Street
923 Shuter Street
922 Shuter Street
920 Shuter Street
918 Shuter Street
916 Shuter Street
914 Shuter Street
912 Shuter Street
910 Shuter Street
908 Shuter Street
906 Shuter Street
904 Shuter Street
902 Shuter Street
900 Shuter Street

Block 1585

1838 Ashland Avenue
1836 Ashland Avenue
1834 Ashland Avenue
1832 Ashland Avenue
1830 Ashland Avenue
1828 Ashland Avenue
1826 Ashland Avenue
1824 Ashland Avenue
1822 Ashland Avenue
1820 Ashland Avenue
1818 Ashland Avenue
1816 Ashland Avenue
1814 Ashland Avenue
1812 Ashland Avenue
1810 Ashland Avenue
1808 Ashland Avenue
1806 Ashland Avenue
1804 Ashland Avenue
1802 Ashland Avenue
1800 Ashland Avenue
901 Rutland Avenue
903 Rutland Avenue
905 Rutland Avenue
907 Rutland Avenue
909 Rutland Avenue
911 Rutland Avenue
913 Rutland Avenue

915 Rutland Avenue
917 Rutland Avenue
919 Rutland Avenue
921 Rutland Avenue
923 Rutland Avenue
925 Rutland Avenue
927 Rutland Avenue
929 Rutland Avenue
931 Rutland Avenue
933 Rutland Avenue
935 Rutland Avenue
937 Rutland Avenue
939 Rutland Avenue
941 Rutland Avenue
1801-1803 East Eager Street
1805 East Eager Street
1807 East Eager Street
1809 East Eager Street
1811 East Eager Street
1813 East Eager Street
1815 East Eager Street
1817 East Eager Street
1819 East Eager Street
1821 East Eager Street
1823 East Eager Street
1825 East Eager Street
1827 East Eager Street
1829 East Eager Street
1831 East Eager Street
1833 East Eager Street
1835 East Eager Street
1837 East Eager Street
1839 East Eager Street
942 North Wolfe Street
940 North Wolfe Street
938 North Wolfe Street
936 North Wolfe Street
934 North Wolfe Street
932 North Wolfe Street
930 North Wolfe Street
928 North Wolfe Street
926 North Wolfe Street
924 North Wolfe Street
922 North Wolfe Street
920 North Wolfe Street
918 North Wolfe Street
916 North Wolfe Street
914 North Wolfe Street
912 North Wolfe Street
910 North Wolfe Street
908 North Wolfe Street
906 North Wolfe Street
904 North Wolfe Street

902 North Wolfe Street
900 North Wolfe Street
902 North Durham Street
904 North Durham Street
906 North Durham Street
908 North Durham Street
910 North Durham Street
912 North Durham Street
914 North Durham Street
916 North Durham Street
918 North Durham Street
920 North Durham Street
922 North Durham Street
924 North Durham Street
926 North Durham Street
928 North Durham Street
930 North Durham Street
932 North Durham Street
934 North Durham Street
936 North Durham Street
938 North Durham Street
940 North Durham Street
942 North Durham Street
944 North Durham Street
946 North Durham Street
948 North Durham Street
903 North Durham Street
905 North Durham Street
907 North Durham Street
909 North Durham Street
911 North Durham Street
913 North Durham Street
915 North Durham Street
917 North Durham Street
919 North Durham Street
921 North Durham Street
923 North Durham Street
925 North Durham Street
927 North Durham Street
929 North Durham Street
931 North Durham Street
933 North Durham Street
935 North Durham Street
937 North Durham Street
939 North Durham Street
941 North Durham Street
943 North Durham Street
945 North Durham Street
947 North Durham Street
949 North Durham Street
951 North Durham Street

Ward 7, Section 30:

Block 1586

901 North Wolfe Street
903 North Wolfe Street
905 North Wolfe Street
907 North Wolfe Street
909 North Wolfe Street
911 North Wolfe Street
913 North Wolfe Street
915 North Wolfe Street
917 North Wolfe Street
919 North Wolfe Street
921 North Wolfe Street
923 North Wolfe Street
925 North Wolfe Street
927 North Wolfe Street
929 North Wolfe Street
931 North Wolfe Street
933 North Wolfe Street
935 North Wolfe Street
937 North Wolfe Street
939 North Wolfe Street
941 North Wolfe Street
943 North Wolfe Street
945 North Wolfe Street
947 North Wolfe Street
949 North Wolfe Street
951 North Wolfe Street
953 North Wolfe Street
955 North Wolfe Street
957 North Wolfe Street
959 North Wolfe Street
961 North Wolfe Street
963-965 North Wolfe Street
967-969 North Wolfe Street
1905 East Eager Street
1907 East Eager Street
1909 East Eager Street
1911-1913 East Eager Street
1915 East Eager Street
1917 East Eager Street
1919 East Eager Street
1921 East Eager Street
1923 East Eager Street
1925 East Eager Street
968 North Washington Street
966 North Washington Street
964 North Washington Street
962 North Washington Street
960 North Washington Street
958 North Washington Street
956 North Washington Street
954 North Washington Street

952 North Washington Street
950 North Washington Street
948 North Washington Street
946 North Washington Street
944 North Washington Street
942 North Washington Street
940 North Washington Street
938 North Washington Street
936 North Washington Street
934 North Washington Street
932 North Washington Street
930 North Washington Street
928 North Washington Street
926 North Washington Street
924 North Washington Street
922 North Washington Street
920 North Washington Street
918 North Washington Street
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915 North Chapel Street

Ward 7, Section 110:

Block 1602

1838 East Madison Street
1836 East Madison Street
1834 East Madison Street
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1800 East Madison Street
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Ward 7, Section 130:

Block 1603

803 North Wolfe Street
805 North Wolfe Street
807 North Wolfe Street
809 North Wolfe Street
811 North Wolfe Street
813 North Wolfe Street
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Approved October 26, 2005

Martin O'Malley, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-160
(Council Bill 04-005)**

AN ORDINANCE CONCERNING

**Planned Unit Development — Designation —
New East Baltimore Community**

FOR the purpose of approving the application of East Baltimore Development, Inc., its affiliates and assigns, who are either the developer, contract purchaser, potential owner and/or owner of the area consisting of the properties listed on Exhibit 1 attached to and made a part of this Ordinance, together with the adjoining roads, highways, alleys, right-of-way, and other similar property (collectively, the “Properties”), to have the Properties designated a Business Planned Unit Development; ~~and~~ approving the Development Plan submitted by the applicant; and providing for a special effective date.

BY authority of

Article - Zoning
Title 9, Subtitles 1 and 4
Baltimore City Revised Code
(Edition 2000)

Recitals

The Mayor and City Council of Baltimore, Housing Authority of Baltimore City, and East Baltimore Development, Inc., are either the developer, contract purchaser, potential owner, or owner of the Properties shown on the accompanying Development Plan, consisting of 33.98 acres, more or less.

East Baltimore Development, Inc., its affiliates and assigns, intend to develop the Properties for life sciences and technology, residential, and retail uses.

On June 23, 2004, representatives of applicant met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the Properties and to institute proceedings to have the Properties designated a Business Planned Unit Development.

The representatives of the applicant have now applied to the Baltimore City Council for designation of the Properties as a Business Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of East Baltimore Development, Inc., for designation of the area consisting of the properties listed on Exhibit 1 attached to and made part of this Ordinance, together with the adjoining roads, highways, alleys, rights-of-way, and other similar property, consisting of 33.98 acres, more or less, as outlined on the accompanying Development Plan entitled “New East Baltimore Community Phase I”, consisting of Sheet 1, “Existing Conditions”, dated March 8, 2005, Sheet 2, “Proposed Massing and Sections”, dated March 24, 2005, Sheet 3, “Proposed Development Master Plan”, dated March 31, 2005, and Sheet 4, “Forest Conservation Master Plan”, dated March 29, 2005 ~~June 23, 2004~~, and Sheet 2, “Proposed Conditions Plan”, dated ~~June 23, 2004~~, to designate the Properties a Business Planned Unit Development under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by the applicant is approved.

SECTION 3. AND BE IT FURTHER ORDAINED, That the following uses are permitted in Section A of the Development Plan, subject to the following limitations:

- (a) All permitted, accessory and conditional uses as allowed in the B-2 Zoning District, unless otherwise prohibited in Section 3(c) below.
- (b) Open off-street parking areas and off-street garages, other than accessory, for the parking of four or more motor vehicles; laboratories: research and testing; outdoor table service when accessory to a restaurant; power and energy plants; warehousing and storage; manufacturing and distribution when accessory to a use otherwise permitted hereunder; motor vehicles: rental as accessory to a garage not to exceed 10 spaces in that garage, including car detailing and car wash (but not including servicing of vehicles); outdoor table seating accessory to any permitted use; sale of alcoholic beverages as part of a restaurant use; prepared food delivery services; live entertainment and dancing as an accessory use to a restaurant, provided there is no admission charge; and manufacturing uses related to research and testing laboratories, life sciences, pharmaceutical, and medical uses.

- (c) The following uses are not allowed as principal uses in Section A:

amusement arcades; apartment hotels; athletic fields; auto accessory stores; automobile service stations; bowling establishments; bus and transit passenger stations and terminals (not including bus shelters for mass transit patrons); check cashing agencies; coin and philatelic stores; community correction centers; dance halls; department stores; drug stores and pharmacies; drive-in; dry cleaning establishments; drive-in; exterminator shops; fraternity and sorority houses; furniture stores; furrier shops; handgun sales; hardware stores; laundries – hand; liquor stores and package goods; locksmith shops; massage salons; musical instrument sales and repair; parking or storage of travel trailers and similar camping equipment; pawn shops; phonograph record and sheet music stores; pool halls and billiard parlors; poultry and rabbit killing establishments; private clubs and lodges (profit and non-profit); radio and television sales and service; restaurant (drive-in); restaurants: drive-in; rifle and shotgun sales; second-hand stores or rummage shops; taverns; taxidermists shops; telegraph offices; tennis and lacrosse clubs; trading stamp redemption centers; travel trailers; undertaking establishments and funeral parlors; upholstery shops; vending machines for the retail sale of ice and milk.

SECTION 4. AND BE IT FURTHER ORDAINED, That the following uses are permitted in Section B of the Development Plan, ~~subject to the following limitations: housing for the elderly; all uses allowed in Section A above; and residential dwelling units are strongly encouraged;~~ all uses permitted in Section A above; housing for the elderly; bed and breakfast establishments; business schools and studios, and commercial schools.

SECTION 5. AND BE IT FURTHER ORDAINED, That the following uses are permitted in Section C of the Development Plan, subject to the following limitations:

- (a) All permitted, accessory and conditional uses as allowed in the underlying residential zoning districts, plus bed and breakfast establishments and housing for the elderly.
- (b) In addition, the following uses are only allowed on the first floor and ground floor of multiple family dwellings:

automatic teller machines; banks and savings and loan associations; barber shops; beauty shops; candy and ice cream stores; clothes pressing establishments; day care facilities, as follows: day nurseries and nursery schools, family day care homes, school-age child and adult care centers; drug stores and pharmacies; dry cleaning and laundry receiving stations – processing done elsewhere; food stores, grocery stores, meat markets, bakeries, and delicatessens; laundrettes –

no more than 2 employees plus 1 owner or manager on the premises; laundries: hand – no more than 2 employees plus 1 owner or manager on the premises; offices: business, governmental, and professional – but not including sales and bulk storage of merchandise on the premises; restaurants; tailor or dressmaking shops: custom work or repairs.

(c) With specific regard to the EBDI offices located at 1731 East Chase Street, that building shall be additionally permitted for use as offices and/or a multi-purpose neighborhood center. Within a multi-purpose neighborhood center may be an automatic teller machine, but only if that machine is accessed solely from the interior of the building.

SECTION 6. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent improvements on the Properties are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That the Planning Department may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 8. AND BE IT FURTHER ORDAINED, That on acquisition of the Properties by the Mayor and City Council of Baltimore, Housing Authority of Baltimore City, and East Baltimore Development, Inc., its affiliates and assigns, the Properties shall be included as part of the Planned Unit Development.

SECTION 9. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 10. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on ~~the 30th day after~~ the date it is enacted.

Exhibit 1 Properties to be included in the PUD

Ward 7, Section 70

Block 1564

1703 East Chase Street
1705 East Chase Street
1707 East Chase Street
1709 East Chase Street
1711 East Chase Street
1042 McDonogh Street
1040 McDonogh Street
1038 McDonogh Street
1036 McDonogh Street
1034 McDonogh Street
1032 McDonogh Street
1030 McDonogh Street
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1026 McDonogh Street
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1018 McDonogh Street
1016 McDonogh Street
1014 McDonogh Street
1012 McDonogh Street
1010 McDonogh Street
1008 McDonogh Street
1006 McDonogh Street
1004 McDonogh Street
1002 McDonogh Street
1710 East Eager Street
1708 East Eager Street
1706 East Eager Street
1704 East Eager Street
1702 East Eager Street
1700 East Eager Street

Block 1565

1744 East Eager Street
1742 East Eager Street
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1724 East Eager Street
1722 East Eager Street
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1718 East Eager Street
1716 East Eager Street
1714 East Eager Street
1712 East Eager Street
1003 McDonogh Street
1005 McDonogh Street
1007 McDonogh Street
1009 McDonogh Street
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1024 Rutland Avenue
1022 Rutland Avenue
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1018 Rutland Avenue
1016 Rutland Avenue
1014 Rutland Avenue
1012 Rutland Avenue
1010 Rutland Avenue
1008 Rutland Avenue
1006 Rutland Avenue
1004 Rutland Avenue
1002 Rutland Avenue
1000-1000 1/2 Rutland Avenue
(Including Property #60, Block 1565)

Ward 7, Section 40

Block 1566

1838 East Eager Street
1836 East Eager Street
1834 East Eager Street
1832 East Eager Street
1830 East Eager Street
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1018 North Durham Street
1016 North Durham Street
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1008 North Durham Street

1006 North Durham Street
1004 North Durham Street
1002 North Durham Street

Block 1567

1002 North Washington Street
1004 North Washington Street
1006 North Washington Street
1008 North Washington Street
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1012 North Washington Street
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1016 North Washington Street
1018 North Washington Street
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1013 North Wolfe Street
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1007 North Wolfe Street
1003-1005 North Wolfe Street
1900 East Eager Street
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1003 North Chapel Street
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1004 North Chapel Street
1002 North Chapel Street
(including property #115, Block 1567)

Block 1568

2018 East Eager Street
2016 East Eager Street
2014 East Eager Street
2012 East Eager Street
2010 East Eager Street
2008 East Eager Street
2006 East Eager Street
2004 East Eager Street
2002 East Eager Street
2000 East Eager Street

Ward 7, Section 50**Block 1581**

930 McDonogh Street
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1713 East Eager Street
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947 North Broadway
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943 North Broadway
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937 North Broadway
933 North Broadway
1702 Barnes Street
1704 Barnes Street

Block 1582

928 Rutland Avenue
930 Rutland Avenue
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Block 1583

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Block 1584

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937 North Durham Street
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949 North Durham Street
951 North Durham Street

Ward 7, Section 30

Block 1586

901 North Wolfe Street
903 North Wolfe Street

905 North Wolfe Street
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911 North Wolfe Street
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961 North Wolfe Street
963-965 North Wolfe Street
967-969 North Wolfe Street
1905 East Eager Street
1907 East Eager Street
1909 East Eager Street
1911-1913 East Eager Street
1915 East Eager Street
1917 East Eager Street
1919 East Eager Street
1921 East Eager Street
1923 East Eager Street
1925 East Eager Street
968 North Washington Street
966 North Washington Street
964 North Washington Street
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914 North Washington Street
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1922 Ashland Avenue
1920 Ashland Avenue
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1906 Ashland Avenue
1904 Ashland Avenue
916 North Chapel Street
918 North Chapel Street
920 North Chapel Street
922 North Chapel Street
924 North Chapel Street
926 North Chapel Street
928 North Chapel Street
930 North Chapel Street
932 North Chapel Street
934 North Chapel Street
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917 North Chapel Street
915 North Chapel Street

Ward 7, Section 110**Block 1602**

1838 East Madison Street
1836 East Madison Street
1834 East Madison Street
1832 East Madison Street
1830 East Madison Street
1828 East Madison Street
1826 East Madison Street
1824 East Madison Street
1822 East Madison Street
1820 East Madison Street
1818 East Madison Street
1816 East Madison Street
1814 East Madison Street
1812 East Madison Street
1810 East Madison Street
1808 East Madison Street
1806 East Madison Street
1804 East Madison Street
1802 East Madison Street
1800 East Madison Street
801 Rutland Avenue
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805 Rutland Avenue

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833 Rutland Avenue
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839 Rutland Avenue
1809 Ashland Avenue
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1821 Ashland Avenue
1823 Ashland Avenue
1825 Ashland Avenue
1827 Ashland Avenue
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1831 Ashland Avenue
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824 North Wolfe Street
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806 North Durham Street
804 North Durham Street
802 North Durham Street

Block 1603

803 North Wolfe Street
805 North Wolfe Street
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819 North Wolfe Street
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827 North Wolfe Street
829 North Wolfe Street
831 North Wolfe Street
833 North Wolfe Street
835 North Wolfe Street
837 North Wolfe Street
839 North Wolfe Street
1903 Ashland Avenue
1905 Ashland Avenue
1907 Ashland Avenue
1909 Ashland Avenue
1911 Ashland Avenue
1913 Ashland Avenue
1915-1917 Ashland Avenue
1928 East Madison Street
1926 East Madison Street
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1912 East Madison Street
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1906 East Madison Street
1904 East Madison Street
1902 East Madison Street
1900 East Madison Street
806 North Chapel Street
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820 North Chapel Street
822 North Chapel Street
824 North Chapel Street
826 North Chapel Street
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801 North Chapel Street

Approved October 26, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-161
(Council Bill 05-179)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
A 10-Foot Alley**

FOR the purpose of condemning and closing a 10-foot alley, laid out 77.3 feet, more or less, south of Cold Spring Lane and extending from the east side of Lawrence Avenue, northeasterly, to the end thereof, as shown on Plat 347-A-72 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions

Section 4

and

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter

(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close a 10-foot alley, laid out 77.3 feet, more or less, south of Cold Spring Lane and extending from the east side of Lawrence Avenue, northeasterly to the end thereof, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the northeast side of Lawrence Avenue, 50 feet wide, and the northwest side of a 10-foot alley, said point of beginning being distant, southeasterly 77.3 feet, more or less, measured along the northeast side of said Lawrence Avenue from the south side of Cold Spring Lane, 100 feet wide, and running thence binding on the northwest side of said 10-foot alley, Northeasterly 54.6 feet, more or less, to the northeasternmost extremity of said 10-foot alley; thence binding on the northeasternmost extremity of said 10-foot alley, Southeasterly 10.1 feet to intersect the southeast side of said 10-foot alley; thence binding on the southeast side of said 10-foot alley, Southwesterly 51.7 feet, more or less, to intersect the northeast side of said Lawrence Avenue, and thence binding on the northeast side of said Lawrence Avenue, Northwesterly 10.2 feet to the place of beginning.

As delineated on Plat 347-A-72, prepared by the Survey Control Section and filed on May 3, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of a 10-foot alley and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 11, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-162
(Council Bill 05-192)**

AN ORDINANCE CONCERNING

**Rezoning – 2033 Kloman Street, 2099 Kloman Street,
2101-2121 Kloman Street, 2200 Kloman Street,
2201-2221-2301 Kloman Street, 2831 Waterview Avenue,
2841 Waterview Avenue, Portions of MTA Rights-of-Way, and
a Portion of CSX Right-of-Way**

FOR the purpose of changing the zoning for the properties known as 2033 Kloman Street, 2099 Kloman Street, 2101-2121 Kloman Street, 2200 Kloman Street, 2201-2221-2301 Kloman Street, a portion of 2831 Waterview Avenue, a portion of 2841 Waterview Avenue, portions of MTA Rights-of-Way, and a portion of CSX Right-of-Way, as outlined in red on the accompanying plat, from the M-2-3 Zoning District to the B-2-3 Zoning District; and changing the zoning for the properties known as a portion of 2831 Waterview Avenue, a portion of 2841 Waterview Avenue, and a portion of MTA Right-of-Way, as outlined in blue on the accompanying plat, from the M-2-1 Zoning District to the B-2-3 Zoning District.

BY amending

Article - Zoning
Zoning District Maps
Sheet(s) 75
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 75 of the Zoning District Maps is amended by changing from the M-2-3 Zoning District to the B-2-3 Zoning District the properties known as 2033 Kloman Street, 2099 Kloman Street, 2101-2121 Kloman Street, 2200 Kloman Street, 2201-2221-2301 Kloman Street, a portion of 2831 Waterview Avenue, a portion of 2841 Waterview Avenue, portions of MTA Rights-of-Way, and a portion of CSX Right-of-Way, as outlined in red on the plat accompanying this Ordinance, and by changing from the M-2-1 Zoning District to the B-2-3 Zoning District the properties known as a portion of 2831 Waterview Avenue, a portion of 2841 Waterview Avenue, and a portion of MTA Right-of-Way, as outlined in blue on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City

Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Approved November 11, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-163
(Council Bill 05-199)**

AN ORDINANCE CONCERNING

**Supplementary Federal Fund Capital Appropriation –
Department of Transportation – \$4,615,000**

FOR the purpose of providing a Supplementary Federal Fund Capital Appropriation in the amount of \$4,615,000 to the Department of Transportation (Account #9950-527-147), to provide a grant for the Charles Street streetscape project; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(2) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents a federal grant in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

That grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2006 was formulated.

On June 29, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$4,615,000 shall be made available to the Department of Transportation (Account #9950-527-147) as a Supplementary Federal Fund Capital Appropriation for Fiscal Year 2006, to provide a grant to the Charles Street streetscape project. The source of revenue for this appropriation is a federal grant in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

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

Approved November 11, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-164
(Council Bill 05-200)**

AN ORDINANCE CONCERNING

**Supplementary Parking Enterprise Fund Capital Appropriation –
Department of Transportation – \$4,000,000**

FOR the purpose of providing a Supplementary Parking Enterprise Fund Capital Appropriation in the amount of \$4,000,000 to the Department of Transportation (Account #9965-580-566), to provide funding for the acquisition and installation of parking meters; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from FY 2005 Fund Balance in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2006 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2006 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On June 29, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$4,000,000 shall be made available to the Department of Transportation (Account #9965-580-566) as a Supplementary Parking Enterprise Fund Capital Appropriation for Fiscal Year 2006, to provide funding for the acquisition and installation of parking meters. The source of revenue for this appropriation is from the FY 2005 Fund Balance in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

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

Approved November 11, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-165
(Council Bill 05-217)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
Lakewood Avenue**

FOR the purpose of condemning and closing Lakewood Avenue, extending from the southwest side of Boston Street southwesterly to the end thereof, as shown on Plat 346-A-54 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions
Section 4

and

Article II - General Powers
Sections 2, 34, 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close Lakewood Avenue, extending from the southwest side of Boston Street southwesterly to the end thereof, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the southwest side of Boston Street, 70 feet wide, and the northwest side of Lakewood Avenue, 50 feet wide, and running thence binding on the southwest side of said Boston Street Southeasterly 50.0 feet to intersect the southeast side of said Lakewood Avenue; thence binding on the southeast side of said Lakewood Avenue, Southwesterly 423.0 feet, more or less, to intersect the southwesternmost extremity of said Lakewood Avenue; thence binding on the southwesternmost extremity of said Lakewood Avenue, Northwesterly 50.0 feet, to intersect the northwest side of said Lakewood Avenue, and thence binding on the northwest side of said Lakewood Avenue Northeasterly 423.0 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-54, prepared by the Survey Control Section and filed on May 12, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of Lakewood Avenue and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 11, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-166
(Council Bill 05-239)**

AN ORDINANCE CONCERNING

**City Streets – Opening –
Wells Street**

FOR the purpose of condemning and opening Wells Street, extending from Light Street Easterly 697.7 feet, more or less, to the former bed of Johnson Street, as shown on Plat 346-A-55 in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of
Article I - General Provisions
Section 4
and

Article II - General Powers
Sections 2, 34, and 35
Baltimore City Charter
(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and open Wells Street, extending from Light Street Easterly 697.7 feet, more or less, to the former bed of Johnson Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Wells Street, 100 feet wide, and the east side of Light Street, varying in width, and running thence binding on the east side of said Light Street Northerly 100.0 feet to intersect the north side of said Wells Street; thence binding on the north side of said Wells Street Easterly 697.7 feet, more or less, to intersect the west side of Johnson Street, 66 feet wide; thence binding in part on the west side of said Johnson Street, in part on the west side of the former bed of Johnson Street, as condemned and closed under Ordinance No. 1330, approved July 16, 1962, and in all, Southerly 100.0 feet to intersect the south side of said Wells Street, and thence binding on the south side of said Wells Street Westerly 697.7 feet, more or less, to the place of beginning.

As delineated on Plat 356-A-55, prepared by the Survey Control Section and filed on June 13, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and opening of Wells Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 11, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-167
(Council Bill 05-240)**

AN ORDINANCE CONCERNING

**City Streets – Closing –
A Portion of Wells Street**

FOR the purpose of condemning and closing a portion of Wells Street, contiguous to the south side thereof, extending from Light Street Easterly 697.7 feet, more or less, to the former bed of Johnson Street, as shown on Plat 346-A-55A in the Office of the Department of Public Works; and providing for a special effective date.

BY authority of

Article I - General Provisions

Section 4

and

Article II - General Powers

Sections 2, 34, 35

Baltimore City Charter

(1996 Edition)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Department of Public Works shall proceed to condemn and close a portion of Wells Street, contiguous to the south side thereof, extending from Light Street Easterly 697.7 feet, more or less, to the former bed of Johnson Street, and more particularly described as follows:

Beginning for Parcel No. 1 at the point formed by the intersection of the south side of Wells Street, 100 feet wide, and the east side of Light Street, varying in width, and running thence binding on the east side of said Light Street Northerly 39.5 feet to intersect a line drawn parallel with and distant 39.5 feet northerly measured at a right angle to the south side of said Wells Street; thence binding on said line, so drawn, Easterly 697.7 feet, more or less, to intersect the west side of Johnson Street, 66 feet wide; thence binding in part on the west side of said Johnson Street, in part on the west side of the former bed of Johnson Street, as condemned and closed under Ordinance No. 1330, approved July 16, 1962, and in all, Southerly 39.5 feet to intersect the south side of said Wells Street, and thence binding on the south side of said Wells Street Westerly 697.7 feet, more or less, to the place of beginning.

As delineated on Plat 346-A-55A, prepared by the Survey Control Section and filed on June 13, 2005, in the Office of the Department of Public Works.

SECTION 2. AND BE IT FURTHER ORDAINED, That the proceedings for the condemnation and closing of a portion of Wells Street and the rights of all interested parties shall be regulated by and in accordance with all applicable provisions of state and local law and with all applicable rules and regulations adopted by the Director of Public Works and filed with the Department of Legislative Reference.

SECTION 3. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances now owned by the Mayor and City Council of Baltimore continue to be the property of the Mayor and City Council, in fee simple, until their use has been abandoned by the Mayor and City Council. If any person wants to remove, alter, or interfere with them, that person must first obtain permission from the Mayor and City Council and, in the application for this permission, must agree to pay all costs and expenses, of every kind, arising out of the removal, alteration, or interference.

SECTION 4. AND BE IT FURTHER ORDAINED, That no building or structure of any kind (including but not limited to railroad tracks) may be constructed or erected in or on any part of the street closed under this Ordinance until all subsurface structures and appurtenances owned by the Mayor and City Council of Baltimore have been abandoned by the Mayor and City Council or, at the expense of the person seeking to erect the building or structure, have been removed and relaid in accordance with the specifications and under the direction of the Director of Public Works of Baltimore City.

SECTION 5. AND BE IT FURTHER ORDAINED, That after the closing under this Ordinance, all subsurface structures and appurtenances owned by any person other than the Mayor and City Council of Baltimore shall be removed by and at the expense of their owners, promptly upon notice to do so from the Director of Public Works.

SECTION 6. AND BE IT FURTHER ORDAINED, That at all times after the closing under this Ordinance, the Mayor and City Council of Baltimore, acting by or through its authorized representatives, shall have access to the subject property and to all subsurface structures and appurtenances used by the Mayor and City Council, for the purpose of inspecting, maintaining, repairing, altering, relocating, or replacing any of them, without need to obtain permission from or pay compensation to the owner of the property.

SECTION 7. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Approved November 11, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
ORDINANCE 05-168
(Council Bill 05-250)**

AN ORDINANCE CONCERNING

**Supplementary Capital Fund Appropriation –
Department of Public Works – \$877,000**

FOR the purpose of providing a Supplementary Capital Fund Appropriation in the amount of \$877,000 to the Department of Public Works (Account #9916-194-191), to provide funding for a fuel system upgrade; and providing for a special effective date.

BY authority of

Article VI - Board of Estimates
Section 8(b)(3) and (c)
Baltimore City Charter
(1996 Edition)

Recitals

The revenue appropriated by this Ordinance represents funds from the General Fund Balance (\$662,871), Motor Vehicle Fund Balance (\$101,650), Waste Water Utility Fund Balance (\$35,822), and Water Utility Fund Balance (\$76,657) in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2006 was formulated.

This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year 2006 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.

On September 14, 2005, the Board of Estimates recommended this appropriation to the City Council.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That \$877,000 shall be made available to the Department of Public Works (Account #9916-194-191) as a Supplementary Capital Fund Appropriation for Fiscal Year 2006, to provide funding for a fuel system upgrade. The source of

revenue for this appropriation is from the General Fund Balance (\$662,871), Motor Vehicle Fund Balance (\$101,650), Waste Water Utility Fund Balance (\$35,822), and Water Utility Fund Balance (\$76,657) in excess of the amount from this source that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2006.

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

Approved November 11, 2005

MARTIN O'MALLEY, Mayor

RESOLUTIONS

PASSED AT THE ANNUAL SESSION

2004-2005

CITY OF BALTIMORE RESOLUTION 05-001 (Council Bill 05-039)

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

In Opposition to State Budget Actions – Dissolution of the Prevailing Wage Unit

FOR the purpose of urging the Governor to reverse the action eliminating funding within the Division of Labor and Industry for the Prevailing Wage Unit that, by law, is responsible for enforcing State prevailing wage laws and for the Employment Standards Service Division that investigates violations of employment rights varying from non-payment of minimum wage to child labor violations; and requesting the Chair and Members of the Baltimore City Senate and House Delegations to the 2005 Session of the Maryland General Assembly to work to restore these offices to full funding.

Recitals

Despite all the proven difficulties in obtaining wages, including prevailing wages, for work performed, the Governor's proposed 2006 Operating Budget completely eliminated the Prevailing Wage Office, which enforces State prevailing wage laws, protects the rights of workers, and investigates violation and exploitation of workers.

In a recent report released by CASA of Maryland and the Homeless Persons Representation Project, 85% of people toiling as day laborers reported at least 1 incident of non-payment for wages earned. Attorneys at CASA of Maryland file lawsuits on behalf of more than 500 workers annually and collect more than \$500,000 in unpaid wages each year.

Enforcement of prevailing wage statutes insures that unlawful employers do not undercut lawful employers by paying less than the required wage rate on government contracts. In 2003, the Prevailing Wage Office recovered \$323,293, and, in that same year, the Employment Standards Service Division, which investigates approximately 1000 claims per year, collected \$653,219 in unpaid wages.

The work of the Employment Standards Service Division in investigating child labor is acutely needed given the national statistics on teen accidents and deaths in the workplace. Each year, more than 70,000 working teenagers end up in the emergency room because of work-related injuries, according to the National Institute of Occupational Safety and Health. Ever more worrisome are fatalities – about 70 teens die on the job each year, mostly in farm and retail work.

The enforcement branches that stand poised to fall victim to the Administration's budget cutting axe sent a strong message to bad-acting employers that their violation of the basic labor rights of hard working employees would not be tolerated by the State of Maryland.

The funds for the Prevailing Wage and Employment Standards Services Divisions of the Department of Labor and Industry must be held harmless and should, rightfully, have their funding increased to carry out the work of protecting the rights of those least able to protect themselves.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Governor is hereby urged to reverse the action eliminating funding within the Division of Labor and Industry for the Prevailing Wage Unit that, by law, is responsible for enforcing State prevailing wage laws and for the Employment Standards Service Division that investigates violations of employment rights varying from non-payment of minimum wage to child labor violations; and the Chair and Members of the Baltimore City Senate and House Delegations to the 2005 Session of the Maryland General Assembly are requested to work to restore these offices to full funding.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Governor, the Mayor, the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the 2005 Session of the Maryland General Assembly, the Honorable Chair and Members of the Senate Budget and Taxation Committee, the Honorable Chair and Members of the House Appropriations Committee, the Executive Director of the Mayor's Office of State Relations, and the Mayor's Legislative Liaison to the City Council.

Approved March 4, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
RESOLUTION 05-002
(Council Bill 05-071)**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

**Chuck Thompson 1921-2005 –
May Flights of Angels Sing Thee to Thy Rest**

FOR the purpose of honoring the life and expressing the deepest sympathy at the passing of Charles L. "Chuck" Thompson, one of Baltimore's most beloved citizens whose melodious voice became analogous with the crack of wood on a hot summer day, the smack of pigskin on a blustery fall afternoon, and the long quenching swallow of a cold sweaty beer at any sports venue throughout the Baltimore area.

Recitals

Chuck Thompson was a friend to every sports fan in Baltimore for more than half a century. His familiar catch phrases of "Ain't the beer cold!" and "Go to war, Miss Agnes" were as familiar to Baltimoreans as the National Anthem played at the beginning of Orioles games at the grand old Memorial Stadium.

Loved by those who only felt that they knew him and those who were lucky enough to call him friend, Chuck was unanimously regarded as one of the greatest sportscasters in the business, as the voice of the Orioles and a play-by-play announcer for the Colts for 30 years. In 1993, Mr. Thompson's excellence was acknowledged by bestowal of the National Baseball Hall of Fame's Ford C. Frick Award, the highest honor a baseball announcer can receive.

To borrow from the quintessential baseball poem *Casey At The Bat:*

"Oh somewhere in this favored land the sun is shining bright.
The band is playing somewhere, and somewhere hearts are light.
And, somewhere men are laughing and little children shout,"

but there is no joy in B-more –
we'll miss you Chuck, no doubt.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That this Body honors the life and expresses the deepest sympathy at the passing of Charles L. “Chuck” Thompson, one of Baltimore’s most beloved citizens whose melodious voice became analogous with the crack of wood on a hot summer day, the smack of pigskin on a blustery fall afternoon, and the long quenching swallow of a cold sweaty beer at any sports venue throughout the Baltimore area.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the family of Charles L. “Chuck” Thompson, the President and Owner of the Baltimore Orioles Baseball Organization, the Executive Director Babe Ruth Museum, the National Baseball Hall of Fame, the Executive Director, Maryland Stadium Authority, the General Manager of WBAL Radio, and the Mayor’s Legislative Liaison to the City Council.

Approved March 30, 2005

MARTIN O’MALLEY, Mayor

**CITY OF BALTIMORE
RESOLUTION 05-003
(Council Bill 05-085)**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

**In Support of State Legislation – House Bill 189 – Transportation
- Baltimore-Washington International Airport - Renaming**

FOR the purpose of expressing support for this legislation that renames Baltimore-Washington International Airport as the Thurgood Marshall Baltimore-Washington International Airport, requesting the Chair and Members of the Senate Education, Health, and Environmental Affairs Committee to report the bill favorably, urging the members of the Baltimore City Delegation to the 2005 Maryland General Assembly to work to seek passage of HB 189, entreating the Governor to sign the measure into law, and providing for a special effective date.

Recitals

Thurgood Marshall was born on July 2, 1908, in Baltimore, Maryland, but by the time of his death, on January 24, 1993, he had become a citizen of the world, as a well-known figure in the history of civil rights in America and as the 1st Black Supreme Court Justice. By the time he was appointed to the Supreme Court in 1967, he had argued 32 cases before that body, winning 29 of them.

In 1930, Thurgood Marshall endeavored to begin his career in law by applying to the University of Maryland Law School. His admission was denied because he was black. He then applied to and was accepted at Howard University of Law where the genesis of his lifelong desire to apply the tenets of the Constitution to all Americans, regardless of color, was born. In 1933, he successfully sued the University of Maryland to admit a black student, overturning the 1898 Supreme Court ruling, Plessy v. Ferguson, which established the doctrine of “separate but equal.”

He later became Chief Counsel for the NAACP and, at the request of the United Nations and the United Kingdom, helped to draft the constitutions of emerging African nations. After establishing an impressive record of Supreme Court challenges to state-sponsored discrimination, including the 1954 landmark Brown

v. Board of Education of Topeka decision, Thurgood Marshall was appointed to the U.S. Second Court of Appeals in 1961, where he was to make 112 rulings that were all later upheld by the Supreme Court.

Thurgood Marshall was appointed U.S. Solicitor 2 years before becoming the first African American elevated to the U. S. Supreme Court, in 1967, where he retained his reputation of fighting for voiceless Americans until his retirement, in 1991.

This distinguished Baltimorean and American who had been denied entrance into the law school of his choice won more cases before the United States Supreme Court than any other American, became the 1st African American to be appointed to the highest court in the land, and represents the tireless fight of many to transform our country from a land of exclusion to a land of inclusion.

It is a particularly fitting monument to the Honorable Thurgood Marshall, our native son, to rename the gateway to the land that once held his ancestors in shackles, thus honoring this singular man who, in so many instances, broke the chains that bound the mortal spirit and hobbled the human intellect.

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That this Body supports this legislation that renames Baltimore-Washington International Airport as the Thurgood Marshall Baltimore-Washington International Airport, requests the Chair and Members of the Senate Education, Health, and Environmental Affairs Committee to report the bill favorably, urges the members of the Baltimore City Delegation to the 2005 Maryland General Assembly to work to seek passage of HB 189, and entreats the Governor to sign the measure into law.

SECTION 2. AND BE IT FURTHER RESOLVED, That the Chair of the Senate Education, Health, and Environment Affairs Committee is requested to include this Resolution in Committee deliberations on HB 189.

SECTION 3. AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Governor, the Chair and Members of the Baltimore City Senate and House Delegations to the 2005 Maryland General Assembly, the Chair and Members of the Senate Education, Health, and Environmental Affairs Committee, the Chair and Members of the House Health and Government Operations Committee, the Executive Director of the Mayor's Office of State Relation, and the Mayor's Legislative Liaison to the City Council.

SECTION 4. AND BE IT FURTHER RESOLVED, That this Resolution takes effect on the date it is enacted.

Approved April 6, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
RESOLUTION 05-004
(Council Bill 05-086)**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

**Pope John Paul II – Son Of Poland, Bishop of Rome,
and Champion of All**

FOR the purpose of celebrating the life of Pope John Paul II, acknowledging his many contributions to his faithful following, his commitment to the sanctity of life, his abundant love for the poor and the young,

his pursuit of freedom for all mankind, and his final gift of publicly sharing the dignity and grace that is possible in the final moments that will someday come to us all; and providing for a special effective date.

Recitals

When Pope John Paul II died on April 2, 2005, at the age of 84 after serving as Pope to the world's nearly 2 billion Catholics, he was revered as one of the most influential leaders of the 20th and early 21st centuries who worked tirelessly to build a moral foundation for the modern world while playing an unprecedented role in overthrowing communism and fostering peace.

The Pope, who lost his mother when he was 9, his older brother when he was 12, and his father when he was 21, had a particular affinity for the youth of the world. No matter where the most traveled Pope in history journeys took him, he always made special time for children. From Senegal to Scandinavia, from Brazil to the Philippines, John Paul II reached out to the young, making his ministry to youth one of the highlights of his remarkable pontificate.

In South Africa, he won the devotion of blacks and apartheid foes when he condemned the racially oppressive system in 1984, and vowed to stay away from the country until blacks gained their freedom. In 1988, he made obvious the slight by visiting every neighboring country and only stopped in South Africa when forced to by bad weather en route to Lesotho. He did not kiss the ground as he did when he visited other countries – saving that blessing for a triumphal return in 1995, when he stood at the side of President Nelson Mandela.

The Pope was an avid proponent of peace and a staunch enemy of all forms of oppression and war. He questioned “how can we fail to consider the violence against life done to millions and millions of beings, especially children, who are forced into poverty, malnutrition, and hunger because of an unjust distribution of resources between peoples and social classes? And what of the violence inherent not only in wars as such but in the scandalous arms trade, which spawns the many armed conflicts which stain our world with blood?”

As the millennium turned, John Paul II made a bold ecumenical move by issuing an official apology for the wrongs done by Catholics in the name of the church over the centuries. He apologized to women, Jews, Muslims, and other groups, his ground breaking apology an integral part of a 26-year-long career to further peace and reconciliation.

While all Popes belong the world, Baltimoreans feel that John Paul II is part of our immediate family after his 1995 visit to our City. In his 10-hour tour of Baltimore, the Pope was greeted by jubilant welcoming Baltimoreans of all ages, races, and faiths, celebrated Mass with 50,000 at Camden Yards, shared lunch with the poor and afflicted at a downtown soup kitchen, toured the City's grand cathedrals, and met with some of the men who would one day be priests.

In celebrating Mass with us, he echoed the words of Abraham Lincoln who questioned whether a nation “conceived in liberty and dedicated to the proposition that all men are created equal could long endure.” He urged all people to be true to the spirit of democracy by seeking moral truth – “surely it is important for America that the moral truths which make freedom possible should be passed on to each generation and every generation of Americans needs to know that freedom consists not in doing what we like, but in having the right to do what we ought.”

May the man who brought tranquillity and comfort to so many, rest forever in a sweet and peaceful slumber.

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the citizens of Baltimore City celebrate the life of Pope John Paul II, acknowledge his many contributions to his faithful following, his commitment to the sanctity of life, his abundant love for the poor and the young, his pursuit of

freedom for all mankind, and his final gift of publicly sharing the dignity and grace that is possible in the final moments that will someday come to us all; and providing for a special effective date.

SECTION 2. AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to H.E. William Henry Cardinal Keeler, Archbishop of Baltimore, Joaquin Navarro-Valls, Papal Spokesman, and the Mayor's Legislative Liaison to the City Council.

SECTION 3. AND BE IT FURTHER RESOLVED, That this Resolution takes effect on the day it is enacted.

Approved April 6, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
RESOLUTION 05-005
(Council Bill 05-184)**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

**Johns Hopkins Men's Lacrosse – Congratulations On Winning
the National Collegiate Athletic Association Lacrosse Championship**

FOR the purpose of congratulating the Johns Hopkins Men's Lacrosse Team for winning its first NCAA championship in 18 years and completing the first undefeated season for any team since 1997.

Recitals

On Monday, May 29, 2005, the Johns Hopkins Men's Lacrosse Team defeated the Duke Blue Devils to win its first NCAA lacrosse championship in 18 years. This team not only showed that they could win, but that, despite being down and seemingly out, perseverance can lead to victory. The Blue Jays, led by Coach Dave Pietramala, became the first men's team to finish the season undefeated since 1997.

In the semi-final match against Virginia, the Hopkins squad remained poised and scored a game tying goal with one second left in regulation time. The team then went on to win in overtime. Not only did the men not give up when it seemed that they were out of time, they continued to battle through the overtime period to get an opportunity to win the title.

This is a team from which we can all learn a lesson. Despite being down in the final game, the players regrouped and rallied in the 4th quarter to get the victory. In the game of lacrosse, teamwork is the key to victory, and this team above all else, displayed an incredible sense of teamwork and togetherness. The men showed support for each other through the good times and the bad and played their sport with the utmost amount of respect and sportsmanship.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That this Body hereby congratulates the Johns Hopkins Men's Lacrosse Team for winning its first NCAA championship in 18 years and completing the first undefeated season for any team since 1997.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Mayor's Legislative Liaison to the Council, the Johns Hopkins Men's Lacrosse Team, and the President of The Johns Hopkins University.

Approved June 13, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
RESOLUTION 05-006
(Council Bill 05-195)**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

June 20 - 27, 2005 – Baltimore City African American Heritage Week

FOR the purpose of proclaiming the week of June 20 - June 27, 2005, Baltimore City African American Heritage Week in celebration of the grand opening of the preeminent Reginald F. Lewis Museum, in recognition of the 2005 African American Heritage Festival, and in homage to the enduring spirit and resilient faith of African American people throughout history and today; and providing for a special effective date.

Recitals

The African American Heritage and Attractions Guide, a publication of the Baltimore Area Convention and Visitors Association, presents Baltimore City as a place where legends are made and legacies are born. During the decade from 1930 to 1940, the Royal Theatre on Pennsylvania Avenue, the heart of African American arts and culture, hosted such legendary jazz legends as Pearl Bailey, Count Basie, and Duke Ellington. It was here in our City that Billie Holliday became known as the incomparable "Lady Day".

Baltimore-born composer and pianist Eubie Blake, along with many of his talented contemporaries, is honored at the Eubie Blake Cultural Center on North Howard Street. The National Great Blacks In Wax Museum, the first of its kind in the country, presents life-like depictions of all aspects of African American history, and the Baltimore Civil War Museum was once a stop on the Underground Railroad. Baltimore is also the proud home of the NAACP headquarters and the birthplace of Thurgood Marshall, an unparalleled figure of the civil rights movement and the 1st African American Supreme Court Justice who was recently honored in the renaming of the Baltimore Washington Airport.

Baltimore will continue to shape the history of African Americans in the country, with notable events this summer. The week of June 20 through June 27 will be filled with events that celebrate all aspects of African American life in the diaspora. The Corporate Council on Africa (CCA) will host its 5th annual U.S. - Africa Business Summit from June 21-24, at the Baltimore Marriott Waterfront Hotel on Aliceanna Street. It is expected that the 2005 Summit will attract some 2000 business and government leaders from Africa and the United States.

The Summit is aimed at advancing, in tangible terms, the common goal of strengthening trade and investment ties between the United States and Africa. That agenda includes plenary sessions and workshops on a variety of topics including agriculture, arts and entertainment, education, energy and power, finance, healthcare, housing, telecommunications, tourism, transportation, and infrastructure.

The African American Heritage Festival will take place June 24-26 at Camden Yards Stadium. As in past years, the festival will be a joyful celebration of the rich traditions and cultural experiences of the African Diaspora. The 3-day festival will attract a local and national audience of more than 460,000 visitors. Mirroring the spirit of African American communities, the Festival will include specific areas for children's activities, education, visual arts, vendors, entertainment, and community organizations.

The grand opening of the Reginald F. Lewis Museum will be the crown jewel of Baltimore City African American Heritage Week. The 82,000 square foot facility of bold geometry and vibrant colors will be the 2nd largest in the country and the largest on the East Coast chronicling the history of African Americans in this country, and it will house artifacts and exhibits covering more than 350 years of Maryland African American history and culture.

Baltimore has a proud heritage and current preeminence in African American art, culture, education, business, and industry. Baltimore City African American Heritage Week recognizes the proud legacy that our resilient ancestors blessed us with and encourages our children to rise to meet the challenges of today with their heads held high in the proud tradition of the African captives whose spirits could not be bowed.

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the week of June 20 - June 27, 2005, is hereby proclaimed Baltimore City African American Heritage Week in celebration of the grand opening of the preeminent Reginald F. Lewis Museum and in homage to the enduring spirit and resilient faith of African American people throughout history and today.

SECTION 2. AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the President and CEO of the Baltimore Area Convention and Visitors Association, the Director of the Reginald F. Lewis Museum, the Chairman of the African American Heritage Festival, the President of the NAACP, and the Mayor's Legislative Liaison to the City Council.

SECTION 3. AND BE IT FURTHER RESOLVED, That this Resolution takes effect on the date it is enacted.

Approved June 14, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
RESOLUTION 05-007
(Council Bill 05-161)**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

**Operating Budget for the Baltimore City Board of
School Commissioners for the Fiscal Year Ending June 30, 2006**

FOR the purpose of approving the budget estimated to be needed for the Baltimore City Board of School Commissioners for operating programs during Fiscal 2006; providing for certification of the approved budget to the State Superintendent of Schools; and providing for a special effective date.

BY authority of
Article – Education
Section(s) 5-102
Annotated Code of Maryland
(1997 Replacement Volume and Supplement)

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following amounts or so much thereof as shall be sufficient are hereby approved from the amounts estimated to be available in the designated funds during the fiscal year ending June 30, 2006.

Operating Budget

Baltimore City Public School Systems

Expense By Fund

Board of School Commissioners

Board of School Commissioners

Education	\$	1,294,859
Restricted/Other Funds	\$	0
Total	\$	1,294,859

Chief Executive Officer

Office of the Chief Executive Officer

Education	\$	3,170,570
Restricted/Other Funds	\$	0
Total	\$	3,170,570

Office of Legal Counsel

Education	\$	1,531,813
Restricted/Other Funds	\$	86,004
Total	\$	1,617,817

Office of Communications

Education	\$	686,076
Restricted/Other Funds	\$	0
Total	\$	686,076

Division of Research, Evaluation and Accountability

Education	\$	3,758,063
Restricted/Other Funds	\$	559,730
Total	\$	4,317,793

Human Resources

Education	\$	4,597,908
Restricted/Other Funds	\$	0
Total	\$	4,597,908

Information Technology

Education	\$	22,542,160
Restricted/Other Funds	\$	1,660,502
Total	\$	24,202,662

Subtotal - Chief Executive Officer

Education	\$	36,286,590
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Restricted/Other Funds	\$	2,306,236
Total	\$	38,592,826
Chief Academic Officer		
Office of the Chief Academic Officer		
Education	\$	31,280,712
Restricted/Other Funds	\$	0
Total	\$	31,280,712
Area Offices		
Education	\$	7,489,768
Restricted/Other Funds	\$	0
Total	\$	7,489,768
Curriculum and Instruction		
Education	\$	1,615,770
Restricted/Other Funds	\$	1,736,265
Total	\$	3,352,035
Professional Development		
Education	\$	2,781,751
Restricted/Other Funds	\$	0
Total	\$	2,781,751
Twilight (Evening) School		
Education	\$	72,869
Restricted/Other Funds	\$	0
Total	\$	72,869
Operations/Grants		
Education	\$	0
Restricted/Other Funds	\$	0
Total	\$	0
School, Community and Family Involvement		
Education	\$	209,519
Restricted/Other Funds	\$	529,788
Total	\$	739,307
General Instruction		
Education	\$	156,059,804
Restricted/Other Funds	\$	4,222,895
Total	\$	160,282,699
Career and Technology Instruction		
Education	\$	364,419
Restricted/Other Funds	\$	2,434,086
Total	\$	2,798,505

Gifted and Talented		
Education	\$	2,555,916
Restricted/Other Funds	\$	0
Total	\$	2,555,916
Summer School		
Education	\$	3,500,000
Restricted/Other Funds	\$	0
Total	\$	3,500,000
Textbooks		
Education	\$	5,600,000
Restricted/Other Funds	\$	0
Total	\$	5,600,000
ESOL		
Education	\$	80,748
Restricted/Other Funds	\$	200,370
Total	\$	281,118
Interscholastic Athletics		
Education	\$	2,631,532
Restricted/Other Funds	\$	0
Total	\$	2,631,532
Out of County Placements		
Education	\$	0
Restricted/Other Funds	\$	4,000,000
Total	\$	4,000,000
Chief Academic Officer's Area Schools		
Education	\$	41,961,460
Restricted/Other Funds	\$	23,314,684
Total	\$	65,276,144
CAO's High School Area & Office		
Education	\$	79,578,059
Restricted/Other Funds	\$	297,732
Total	\$	79,875,791
Subtotal - Chief Academic Officer		
Education	\$	335,782,327
Restricted/Other Funds	\$	36,735,820
Total	\$	372,518,147
Special Education and Student Support Services		
Special Education and Student Support Services		
Education	\$	173,041,360
Restricted/Other Funds	\$	36,443,331
Total	\$	209,484,691

Subtotal - Special Education and Student Support Services

Education	\$	173,041,360
Restricted/Other Funds	\$	36,443,331
Total	\$	209,484,691

Chief Operating Officer

Office of the Chief Operating Officer

Education	\$	2,400,630
Restricted/Other Funds	\$	0
Total	\$	2,400,630

Student Placement

Education	\$	0
Restricted/Other Funds	\$	0
Total	\$	0

Facilities Maintenance

Education	\$	67,652,510
Restricted/Other Funds	\$	0
Total	\$	67,652,510

Student Transportation

Education	\$	27,954,939
Restricted/Other Funds	\$	0
Total	\$	27,954,939

School Police

Education	\$	5,397,926
Restricted/Other Funds	\$	0
Total	\$	5,397,926

Food Services

Education	\$	0
Restricted/Other Funds	\$	21,802,213
Total	\$	21,802,213

Subtotal – Chief Operating Officer

Education	\$	103,406,005
Restricted/Other Funds	\$	21,802,213
Total	\$	125,208,218

Chief Financial Officer

Education	\$	24,506,270
Restricted/Other Funds	\$	25,735,794
Total	\$	50,242,064

Subtotal – Chief Financial Officer

Education	\$	24,506,270
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Restricted/Other Funds	\$	25,735,794
Total	\$	50,242,064
Fringe Benefits		
Education	\$	137,955,768
Restricted/Other Funds	\$	14,035,937
Total	\$	151,991,705
Debt Service		
Education	\$	13,717,171
Restricted/Other Funds	\$	0
Total	\$	13,717,171
Contingency Reserve		
Education	\$	10,000,000
Restricted/Other Funds	\$	0
Total	\$	10,000,000
Deficit Reduction		
Education	\$	23,000,000
Restricted/Other Funds	\$	0
Total	\$	23,000,000
Edison Schools		
Education	\$	19,200,000
Restricted/Other Funds	\$	0
Total	\$	19,200,000
Total Expenses		
Education	\$	878,190,350
Restricted/Other Funds	\$	137,059,331
Total	\$	1,015,249,681

SECTION 2. AND BE IT FURTHER RESOLVED, The foregoing amounts in summary are funded from the following sources:

City of Baltimore	\$	207,767,545
State of Maryland	\$	667,616,790
Federal	\$	134,543,505
Other	\$	5,321,841
		\$1,015,249,681

SECTION 3. AND BE IT FURTHER RESOLVED, That the Capital Budget of Baltimore City Public School Systems consists of \$38,550,000 for the fiscal year ending June 30, 2006. Sources of these funds are \$17,000,000 from City of Baltimore General Obligation Bonds and \$21,550,000 from the State of Maryland.

The uses of these capital funds are for the following projects:

Systemic Improvements	\$	21,613,000
Asbestos Abatement	\$	500,000

Violetville Elem/Middle	\$	1,000,000
Carver Voc-Tech High	\$	4,232,000
Baltimore School for the Arts	\$	6,920,000
Highlandtown Elementary	\$	2,000,000
Dunbar High School	\$	<u>2,285,000</u>
	\$	38,550,000

SECTION 4. AND BE IT FURTHER RESOLVED, That when enacted, this Resolution shall be certified to the State Superintendent of Schools.

SECTION 5. AND BE IT FURTHER RESOLVED, That this Resolution takes effect July 1, 2005.

Approved August 22, 2005

MARTIN O'MALLEY, Mayor

**CITY OF BALTIMORE
RESOLUTION 05-008
(Council Bill 05-279)**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

From Baltimore to Birmingham – Thank You

FOR the purpose of expressing deep appreciation to Mayor Kincaid and staff, and the gracious people of Birmingham, Alabama who opened their hands and their hearts to the volunteers from Baltimore who journeyed far to offer their aid to the victims of Katrina; and providing for a special effective date.

Recitals

The City of Baltimore deployed many emergency personnel to Gretna, Louisiana to aid in the relief effort following the destruction wrought by Hurricane Katrina, including a self-sustaining convoy of more than 35 fire, police, transportation, and public works vehicles and over 110 first responders and City employees.

Stating that having been moved by the images of complete devastation of New Orleans and the entire Gulf Coast it became clear that there remained a critical need for first responders to aid in the relief and rescue efforts, the Mayor sent manpower and equipment from the Baltimore City Fire Department, the Baltimore City Police Department, the Departments of Transportation, Public Works, Recreation and Parks, Health, and the Mayor's Office.

Forty-five personnel were deployed to aid directly in the search and rescue efforts, 28 police officers provided security for the convoy and helped to restore order and aid in the humanitarian effort, and a combined group of 42 employees from Public Works and Recreation and Parks aided in debris removal and provided general maintenance for the convoy, in addition to transporting the fuel necessary to keep the convoy self-sustaining.

Mayor Kincaid and his staff graciously welcomed 150 of these selfless City workers, providing aid and comfort to those who traveled to provide aid and comfort to the victims of Katrina's wrath, going far and beyond the call of duty by supplying hot meals, cold drinks, fuel for vehicles, on-call mechanics, and cots for sleeping for Baltimore's convoys on their way to and from the sites of despair.

Beyond the care and comfort given to those weary of body, Mayor Kincaid and his staff provided a much needed respite to those weary of soul and of spirit.

SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the government and the people of Baltimore City hereby express our deep appreciation to Mayor Kincaid and the gracious people of Birmingham, Alabama who opened their hands and their hearts to the volunteers from Baltimore who journeyed far to offer their aid to the victims of Katrina.

SECTION 2. AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Mayor Bernard Kincaid and his staff.

SECTION 3. AND BE IT FURTHER RESOLVED, That this Resolution takes effect on the date it is enacted.

Approved November 23, 2005

MARTIN O'MALLEY, Mayor

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Broadway (N 933-35, 937, 939, 941, 943, 945, 947)	05-159	243
Cambridge Street (var. nos. 2102-2326)	05-034	45
Chapel Street (var. nos. N 801-962 and S 509-533)	05-159	243
Chester Street (odd nos. S 509-533) Chester Street (S 511)	05-034	45
Collington Avenue (var. nos. S 504-521)	05-034	45
CSX Right-of-Way (portion of)	05-162	278
Duker Court (odd nos. 2201-2211)	05-034	45
Duncan Street (var. nos. S 506-524) change	05-034	45
Durham Street (var. nos. N 802-951)	05-159	243
Eager Street (odd nos. E 1703-1925)	05-159	243
Essex Street (var. nos. 2101-2329)	05-034	45
Fleet Street (var. nos. 2100-2246)	05-034	45
Foster Avenue (2305, 2307, 2309, 2311, and 2313)	05-034	45
Holtzman Court (520, 522, 524, 526, 538, and 530)	05-034	45
Kloman Street (2033, 2099, 2101-2121, 2200, 2201-2301)	05-162	278
Madeira Street (S 504-520)	05-034	45
Madison Street (E 1712) and Broadway (N 801)	05-129	204
Madison Street (var. nos. E 1800-1928)	05-159	243
McDonogh Street (930-937)	05-159	243
Montford Avenue (even nos. S 700-714 and S 720)	05-034	45
MTA Rights-of-Way (portions of)	05-162	278
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Patterson Park Avenue (even nos. S 502-610)	05-034	45
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Shuter Street (907)	05-159	243
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Van Lill Street (odd nos. 701-709)	05-034	45
Washington Street (even nos. N 900-968)	05-159	243
Waterview Avenue (2831, 2841)	05-159	243
Winterling Court (odd nos. 2209-2219)	05-034	45
Wolfe Street (N 800, 802-925, odd nos. 827-839, all 900-943, odd nos. 945-969)	05-034	45
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