

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor  
101 City Hall  
Baltimore, Maryland 21202

September 16, 2014

The Honorable President and Members  
of the Baltimore City Council  
Attn: Natawna Austin, Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

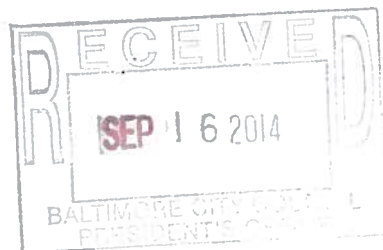
Re: City Council Bill 14-0425 –Parking Structures – 11 South Eutaw Street,  
22 South Gay Street, 101 South Paca Street, and 210 Saint Paul Place

Dear President and City Council Members:

The Law Department has been asked to review City Council Bill 14-0425 for form and legal sufficiency. The bill authorizes authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain properties, with parking structures, known as 11 South Eutaw Street (Ward 04, Section 10, Block 0655, Lot 008A), 22 South Gay Street (Ward 04, Section 11, Block 1350, Lot 012), 101 South Paca Street (Ward 04, Section 09, Block 0666, Lot 002), and 210 Saint Paul Place (Ward 04, Section 01, Block 0608, Lot 014). The bill provides for an immediate effective date.

Article II of the Baltimore City Charter gives the Mayor and City Council “full power and authority” to exercise by ordinance certain powers relating to the disposition of parking facilities; specifically, the legislative powers to “sell, lease, convey, transfer or otherwise dispose of any of said land or property regardless of whether or not it has been developed, redeveloped, altered or improved...to any private, public or quasi-public corporation, partnership, association, person or other legal entity.” City Charter, Art II, Sec 20(b). Thus, the sale of the parking structures contemplated by Council Bill 14-0425 can proceed under the Article II powers of the City Charter.

The Law Department seeks an amendment to the bill. It is the Mayor and City Council of Baltimore that own the garages. Therefore, it must be the Mayor and City Council that sells the property, although it may use an agent, such as the Parking Authority of Baltimore City, to assist in the sale. The proposed amendment, which is attached to this bill report, clarifies these points.



*Fav w/ Amend*



If Council Bill 14-0425 is amended as proposed, the Law Department will approve the bill for form and legal sufficiency.

Sincerely yours,



Victor K. Tervala  
Chief Solicitor

cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Elena DiPietro, Chief, Opinions & Advice  
Hilary Ruley, Chief Solicitor  
Jennifer Landis, Special Assistant Solicitor

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**AMENDMENTS TO COUNCIL BILL 14-0425  
(First Reader Copy)**

By: Law Department  
{To be offered to the Taxation, Finance and Economic Development Committee}

**Amendment No. 1**

On page 1, in line 16, after "Charter,", insert "the Mayor and City Council of Baltimore, by and through"; and, after "City", insert a comma.