

**CITY OF BALTIMORE
COUNCIL BILL 05-0310
(First Reader)**

Introduced by: President Dixon, Councilmembers Kraft, Young, Holton, Clarke, Reisinger,
D'Adamo, Welch

Introduced and read first time: December 8, 2005

Assigned to: Committee of the Whole

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Baltimore Development Corporation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Convention Center Hotel – Hotel Corporation Board**

3 FOR the purpose of modifying the method by which appointed members are selected and
4 confirmed; clarifying, correcting, and conforming certain language; and generally relating to
5 the Board of Directors of the Hotel Corporation.

6 BY repealing and reordaining, with amendments

7 Ordinance 05-128

8 Section(s) 4

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

11 **Ordinance 05-128**

12 SECTION 4. AND BE IT FURTHER ORDAINED, That:

13 (A) [the] THE powers of the Hotel Corporation shall be exercised by a Board of Directors of
14 the Hotel Corporation (the “Board”).

15 (B) The Board shall:

16 (1) [(i)] have a minimum of nine and a maximum of fifteen members,

17 (2) [(ii)] initially consist of nine voting members, of which a majority shall be
18 members who are not employees or officials of the City, and

19 (3) [(iii)] be comprised of:

20 (i) five ex-officio members, to include (a) the Mayor or his or her designee,

21 (b) the President of the City Council or his or her designee, (c) the

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

1 Comptroller of the City, (d) the Director of Finance and (e) the President
2 of the Baltimore Development Corporation, and

3
4 (II) four individuals who are not officials or employees of the City, initially
5 [selected] APPOINTED by the Mayor[, and thereafter any vacancies shall be
6 filled by individuals nominated and elected by the Board].

7 (C) All [selections] VACANCIES IN APPOINTED POSITIONS SHALL BE FILLED by the Mayor, [are]
8 subject to confirmation by the City Council in the same manner as provided in the City
9 Charter for municipal officers.

10 (D) Each APPOINTED member serves for a term of 3 years, except that the initial terms shall
11 be staggered so that the terms of one-third of the members will expire each year. No
12 member may serve more than 2 consecutive full terms.

13 (E) At least one [such] APPOINTED member shall have hotel and hospitality experience, at
14 least one [member] shall have marketing experience, and at least one [member] shall
15 have convention planning experience. All members of the Board shall be residents of
16 Baltimore City. Additional eligibility criteria may be set forth in the by-laws adopted by
17 the Hotel Corporation. In no event, however, may any officer, director, or employee of
18 the Baltimore Area Convention and Visitors Association, of any entity engaged to
19 operate or manage the Hotel, or of any auditor or legal counsel engaged by the Hotel
20 Corporation serve as a member of the Board.

21 (F) The Board shall be considered a “public body” under the State Open Meetings Act, and
22 shall comply with all requirements imposed by the Act on public bodies.

23 (G) The provisions of City Code Article 5, Subtitle 26 {“Hours and Wages – Service
24 Contracts”} shall apply to all employees of the hotel to the same extent as if the Hotel
25 Corporation, any entity engaged to operate or manage the Hotel, or any of their
26 contractors or subcontractors were “service contractors”, as defined in Article 5, Subtitle
27 26. The Wage Commission shall adopt rules, regulations, and procedures and take all
28 other steps necessary to assure that all non-professional employees of these entities (i)
29 receive no less than the “prevailing minimum hourly wage rate” (aka “living wage”) set
30 from time to time under Article 5, Subtitle 26, and (ii) are provided with all enforcement
31 and other rights granted by that law.

32 (H) The Board (i) may not pledge the full faith and credit of the City or otherwise obligate
33 the City to any borrowing or contract, (ii) does not have any taxing authority, (iii) may
34 not exercise the power of eminent domain and (iv) may not issue any public bonds.

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