

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

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100 N. Holliday Street  
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November 7, 2018

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

Re: City Council Bill 18-0293 - Baltimore Tourism Improvement District - Establishment

Dear President and City Council Members:

The Law Department has been asked to review City Council Bill 18-0293 for form and legal sufficiency. The bill authorizes the establishment of the Baltimore Tourism Improvement District and specifies the boundaries of the District. The bill provides for the designation of an Association to oversee the District and authorizes the creation of a District Management Committee to operate the district. The bill provides for the assessment, collection and enforcement of a supplemental assessment to be collected by the City for the Association. The bill provides the Board of Estimates to review and approve certain aspects of the District and for the renewal, expiration termination and approval of the District.

The Mayor and City Council is authorized by Art. II, Sec. 70 of the Baltimore City Charter by ordinance create a tourism improvement district. This authorizing legislation provides for the framework for the bill that creates the District. City Council Bill 18-0293 is basically consistent with Sec. 70.

The Law Department, however, is concerned about Sec. 20-10. The section is confusing and redundant. The Law Department therefore proposes that Sec. 20-10 (A) and (B)(1) be consolidated and that (B)(2) and (C) be removed from the bill. The proposed changes are set forth on the attached amendment.

Provided the bill is amended as recommended, the Law Department can approve the bill for form and legal sufficiency.

Sincerely yours,

Elena R. DiPietro  
Chief Solicitor

cc: Andre M. Davis, City Solicitor  
Karen Stokes, Director, Office of Government Relations  
Kyron Banks, Mayor's Legislative Liaison  
Hilary Ruley, Chief Solicitor  
Victor Tervalo, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Avery Aisenstark, DLR  
Allison Burr-Livingstone, Visit Baltimore

**§ 20-10. BASELINE CITY FUNDING.**

27 (A) *AGREEMENT TO MAINTAIN.*

28 TO THE EXTENT OF ITS AUTHORITY, THE CITY MAYOR AND CITY COUNCIL SHALL MAINTAIN  
THE REQUISITE LEVEL OF

29 FUNDING OF THE ASSOCIATION AS SET FORTH IN THE BALTIMORE CITY CHARTER ARTICLE  
30 II, § 40(E) AND CITY CODE ARTICLE 28, § 21-2. AND MAY NOT REDUCE THE EXISTING FUNDING  
31 PROVIDED BY 34 THE CITY IN THE DISTRICT DUE TO THE ESTABLISHMENT OF THE DISTRICT OR  
32 THE 35 DESIGNATION OF THE ASSOCIATION

~~31 (B) *DISTRICT FUNDING AND SERVICES.*~~

~~32 (1) TO THE EXTENT OF THEIR AUTHORITY, THE MAYOR AND CITY COUNCIL OF  
33 BALTIMORE MAY NOT PERMIT A REDUCTION IN THE EXISTING FUNDING PROVIDED BY  
34 THE CITY IN THE DISTRICT DUE TO THE ESTABLISHMENT OF THE DISTRICT OR THE  
35 DESIGNATION OF THE ASSOCIATION.~~

~~dir18-0697(6)-1st/11Oct18~~

~~Art14/cb18-0293-1st/VB:nbr-10-~~

~~**Council Bill 18-0293**~~

~~1 (2) TO THE EXTENT OF THEIR AUTHORITY, THE MAYOR AND CITY COUNCIL OF  
2 BALTIMORE MAY NOT PERMIT A REDUCTION IN THE SERVICES PROVIDED BY THE CITY  
3 IN THE DISTRICT DUE TO THE ESTABLISHMENT OF THE DISTRICT OR THE DESIGNATION  
4 OF THE ASSOCIATION.~~

~~5 (C) *GOVERNING PRINCIPLES.*~~

~~6 THE MAINTENANCE OF EXISTING FUNDING SHALL BE GOVERNED BY 2 PRINCIPLES:~~

~~7 (1) BASELINE FUNDING MAY NOT BE DECREASED EXCEPT:~~

~~8 (I) AS PART OF AN OVERALL DECREASE IN FUNDING NECESSITATED BY DECREASES  
9 OF CITY HOTEL TAX REVENUE AND COLLECTIONS; AND~~

~~10 (II) ONLY IN PROPORTION TO THE DECREASES OF THE CITY HOTEL TAX REVENUE  
11 AND COLLECTIONS.~~

~~12 (2) ANY INCREASE IN THE CITY HOTEL TAX REVENUE AND COLLECTIONS SHALL BE  
13 MATCHED WITH INCREASES IN FUNDING TO THE ASSOCIATION, IN PROPORTION TO  
14 THE INCREASES OF THE CITY HOTEL TAX REVENUE AND COLLECTIONS.~~