

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0288

Introduced by: Councilmember Henry, President Young

Introduced and read first time: September 17, 2018

Assigned to: Housing and Urban Affairs Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: April 29, 2019

AN ORDINANCE CONCERNING

1 **York Corridor Business Improvement District – Establishment**

2 FOR the purpose of creating a community benefits district, to be known as the York Corridor
3 Business Improvement District; specifying the boundaries of the District; creating an
4 Authority and providing for its rights, duties, and powers; providing for the selection and
5 composition of the Authority’s Board of Directors; providing for an Administrator for the
6 Authority; mandating the financial responsibilities of the Authority and the City in
7 conjunction with the operation of the District; providing for the assessment, collection, and
8 enforcement of a supplemental tax to be collected by and for the Authority; specifying the
9 City’s role in maintaining and enhancing existing services; encouraging the creation of
10 partnerships among the Authority, the City, the State, the Federal Government, and property
11 owners not subject to the supplemental tax; designating the Board of Estimates as the agency
12 charged with reviewing and approving various matters relating to the District and the
13 Authority; providing for the renewal, expiration, termination, and approval of the District and
14 the Authority; abolishing the York Road Retail Business District; providing for ~~a special~~
15 ~~effective date~~ special effective dates; and generally relating to the existence, operation, and
16 control of the York Corridor Business Improvement District and Authority.

17 BY authority of
18 Article II - General Powers
19 Section(s) 63
20 Baltimore City Charter
21 (1996 Edition)

22 BY adding
23 Article 14 - Special Benefits Districts
24 Section(s) 20-1 to 20-17, to be under the new subtitle designation,
25 “Subtitle 20. York Corridor Business Improvement District”
26 Baltimore City Code
27 (Edition 2000)

EXPLANATION: 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.

Council Bill 18-0288

1 BY repealing
2 Article 14 - Special Benefits Districts
3 Section 11-23, in its entirety
4 Baltimore City Code
5 (Edition 2000)

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

8 **Baltimore City Code**

9 **Article 14. Special Benefits Districts**

10 **SUBTITLE 20. YORK CORRIDOR BUSINESS IMPROVEMENT DISTRICT**

11 **§ 20-1. FINDINGS.**

12 (A) *IMPORTANCE OF THE YORK ROAD CORRIDOR.*

13 (1) THE YORK ROAD CORRIDOR IS A 2-MILE LONG STRIP OF COMMERCIAL DEVELOPMENT
14 THAT SERVES AS A LINEAR COLLECTION OF AT LEAST 3 PRINCIPAL NODES FOCUSED ON
15 MAJOR CROSSROADS INTERSECTIONS (BELVEDERE AVENUE, WOODBOURNE AVENUE,
16 COLD SPRING LANE), WHICH SERVE THE LOCAL COMMERCIAL/RETAIL NEEDS OF THEIR
17 ADJOINING NEIGHBORHOODS TO THE EAST AND WEST.

18 (2) IN MANY WAYS THE YORK ROAD MARKET AREA IS NOW SPLIT BY THE ROAD ITSELF.
19 TO THE WEST ARE VERY AFFLUENT RESIDENTIAL NEIGHBORHOODS WITH HIGH
20 RESIDENTIAL VALUES. TO THE EAST ARE MORE MODEST NEIGHBORHOODS WITH
21 LOWER RESIDENTIAL VALUES, HOMEOWNERSHIP RATES, AND HOUSEHOLD INCOMES.

22 (3) THE YORK ROAD CORRIDOR CAN AND DOES SERVE AS A MEETING GROUND FOR ALL
23 ADJOINING NEIGHBORHOODS AND COMMERCIAL USES THAT CAN ACHIEVE THEIR
24 HIGHEST POTENTIAL WHEN THEY APPEAL TO ALL CONSUMER HOUSEHOLDS.

25 (B) *NEEDS AND OPPORTUNITIES FACING THE DISTRICT.*

26 (1) THE YORK ROAD CORRIDOR AND VISION ACTION PLAN OF 2015 IDENTIFIED A
27 VARIETY OF NEEDS AND OPPORTUNITIES FACING THE YORK ROAD CORRIDOR.

28 (2) ACCORDING TO THE PLAN:

29 (1) HOUSEHOLD SPENDING WITHIN THE YORK ROAD MARKET AREA IS ESTIMATED
30 AT \$265.9 MILLION ANNUALLY, AND SPENDING ON FOOD AND DRINK IS
31 ESTIMATED AT \$29.9 MILLION. THESE ESTIMATES DO NOT INCLUDE SPENDING
32 BY THE AREA'S SIZEABLE STUDENT POPULATION. IT IS ALSO ESTIMATED THAT
33 THE AREA PRESENTLY CAPTURES ONLY 29.8% OF THAT TOTAL SPENDING, WITH
34 THE REMAINING SPENDING GOING TO BUSINESSES ELSEWHERE. THIS
35 DISPOSABLE INCOME IN THE LOCAL CORRIDOR MARKETPLACE WOULD BE
36 CAPTURED WITHIN YORK ROAD WITH AN EXPANDED MIX OF APPROPRIATE

Council Bill 18-0288

1 BUSINESSES AND SERVICES TO MEET THE ON-GOING NEEDS OF THE LOCAL
2 COMMUNITY.

3 (ii) GIVEN ITS LARGELY BUILT-OUT NATURE, THE YORK ROAD CORRIDOR
4 OPERATES WITHIN MULTIPLE CONSTRAINTS AS REGARDS TO THE ATTRACTION
5 OF NEW COMMERCIAL/RETAIL DEVELOPMENT OPPORTUNITIES. IN PARTICULAR,
6 LAND PARCELS ALONG YORK ROAD ARE TYPICALLY SMALL, SHALLOW, AND IN
7 MULTIPLE OWNERSHIP; ARDUOUS ASSEMBLAGE OF PARCELS IS TYPICALLY
8 REQUIRED TO ACCOMMODATE THE NEEDS OF MANY RETAILERS. THERE ARE
9 FEW LARGER (2+ ACRE) PARCELS ALONG YORK ROAD, AND NONE ARE VACANT
10 LAND. OVER TIME THE YORK ROAD CORRIDOR WILL MANAGE ITS REAL
11 ESTATE RESOURCES IN SUCH A WAY THAT USES ALONG YORK ROAD WILL
12 BETTER SERVE THE MARKET AREA POPULATION, BY ATTRACTING RETAILERS
13 WHO WILL SERVE UNMET DEMAND AND BY UPGRADING UNDERUTILIZED
14 PROPERTIES.

15 (3) RECOMMENDATION OF THE PLAN:

16 ESTABLISHMENT OF A YORK ROAD BUSINESS IMPROVEMENT DISTRICT (BID) IS
17 RECOMMENDED AS THE MANAGEMENT ENTITY FOR THE CORRIDOR. IN ORDER TO
18 ADVANCE AND ULTIMATELY ACHIEVE ITS FULL POTENTIAL, THE CORRIDOR WILL
19 PROFIT FROM ACTIVE MANAGEMENT – A GROUP SPECIFICALLY TASKED TO
20 SUPERVISE DAY-TO-DAY OPERATIONS (E.G., SANITATION, SAFETY/SECURITY), BUT
21 ALSO TASKED WITH LONGER-TERM, STRATEGIC EFFORTS SUCH AS WORKING WITH
22 EXISTING BUSINESSES TO HELP THEM SUCCEED, IMPROVING THE BUSINESS MIX TO
23 GROW SALES, MARKETING THE CORRIDOR TO NEW BUSINESSES, AND CAPTURING
24 REAL ESTATE DEVELOPMENT OPPORTUNITIES AS THEY OCCUR. THE BID
25 STRUCTURE (AS CODIFIED IN STATE OF MARYLAND AND BALTIMORE CITY
26 AUTHORIZING LEGISLATION) IS FOCUSED ON COMMERCIAL ISSUES, DERIVING ITS
27 REVENUES PRINCIPALLY FROM A MANDATORY ASSESSMENT ON COMMERCIAL
28 PROPERTY OWNERS, THUS DEDICATING ITS ATTENTION TO IMPROVING THE
29 CORRIDOR’S BUSINESS ENVIRONMENT. THE BID WILL ALSO DERIVE OPERATING
30 REVENUES FROM FEE-FOR-SERVICE ARRANGEMENTS AND GRANTS FROM CITY
31 GOVERNMENT, FOUNDATIONS, ETC., TO PROVIDE VARIOUS SERVICES THAT ARE
32 BETTER DELIVERED LOCALLY.

33 (c) *CONSIDERATIONS.*

34 IN ADOPTING THIS ORDINANCE, THE CITY COUNCIL HAS:

35 (1) CONSIDERED THE VIEWS OF THE PROPERTY OWNERS, THE RETAIL MERCHANTS, THE
36 PROPERTY TENANTS, AND THE OTHER MEMBERS OF THE BUSINESS AND
37 RESIDENTIAL COMMUNITIES WITHIN THE YORK CORRIDOR BUSINESS
38 IMPROVEMENT DISTRICT.

39 (2) MADE A DETERMINATION THAT THE YORK CORRIDOR BUSINESS IMPROVEMENT
40 DISTRICT WILL REFLECT:

Council Bill 18-0288

1 (I) A DIVERSE MIX OF BUSINESS PROPERTIES; AND

2 (II) A DIVERSE ECONOMIC, SOCIAL, AND RACIAL MIX.

3 **§ 20-2. DISTRICT ESTABLISHED.**

4 (A) *IN GENERAL.*

5 THERE IS A BUSINESS IMPROVEMENT DISTRICT, TO BE KNOWN AS THE YORK ROAD
6 BUSINESS IMPROVEMENT DISTRICT (THE "DISTRICT").

7 (B) *BOUNDARIES.*

8 THE BOUNDARIES OF THE DISTRICT ARE AS SHOWN ON THE FOLLOWING MAP APPENDED TO
9 THIS BILL, TITLED "ATTACHMENT A - PROPOSED YORK ROAD BID".

10 **§ 20-3. AUTHORITY CREATED.**

11 (A) *AUTHORITY CREATED.*

12 THERE IS A YORK CORRIDOR BUSINESS IMPROVEMENT DISTRICT MANAGEMENT
13 AUTHORITY, REFERRED TO IN THIS SUBTITLE AS THE "AUTHORITY".

14 (B) *PURPOSE.*

15 THE PURPOSE OF THE AUTHORITY IS TO:

16 (1) PROMOTE AND MARKET THE DISTRICT;

17 (2) PROVIDE SUPPLEMENTAL SECURITY AND MAINTENANCE SERVICES;

18 (3) PROVIDE AMENITIES IN PUBLIC AREAS; AND

19 ~~(4) IMPLEMENT THE RECOMMENDATIONS OUTLINED IN THE YORK ROAD CORRIDOR~~
20 ~~VISION AND ACTION PLAN, ADOPTED BY THE PLANNING COMMISSION IN 2015, AS~~
21 ~~THAT PLAN MAY BE MODIFIED OR SUPERSEDED FROM TIME TO TIME BY THE~~
22 ~~PLANNING COMMISSION; AND~~

23 (4) ~~(5)~~ PROVIDE OTHER SERVICES AND FUNCTIONS AS MAY BE REQUESTED BY THE
24 AUTHORITY AND APPROVED BY AN ORDINANCE OF THE MAYOR AND CITY
25 COUNCIL.

26 **§20-4. POWERS AND FUNCTIONS OF AUTHORITY.**

27 (A) ~~GOVERNMENTAL BODY~~ POWERS.

28 TO THE GREATEST EXTENT ALLOWABLE BY LAW, THE AUTHORITY IS AND SHALL BE
29 DEEMED TO BE A SPECIAL ~~TAXING TAX~~ TAX DISTRICT ~~AND, THEREFORE, A GOVERNMENTAL~~
30 ~~BODY, BOTH POLITIC AND CORPORATE,~~ EXERCISING ONLY THOSE POWERS AS ARE
31 PROVIDED FOR IN THIS SUBTITLE.

Council Bill 18-0288

1 (B) *AUTHORIZED ACTIONS.*

- 2 (1) THE AUTHORITY MAY ACQUIRE, HOLD, AND USE ~~BOTH REAL AND PERSONAL~~ PROPERTY
3 AS NECESSARY TO ACHIEVE ITS PURPOSES, ~~INCLUDING ACQUISITION BY PURCHASE,~~
4 ~~LEASE, OR OTHER MEANS.~~
- 5 (2) THE AUTHORITY MAY ENGAGE THE SERVICES OF AN ADMINISTRATOR (THE
6 "ADMINISTRATOR"), WHO MAY BE AN INDIVIDUAL OR AN ENTITY, TO ADMINISTER THE
7 PROGRAMS AND UNDERTAKINGS OF THE AUTHORITY.
- 8 (3) THE AUTHORITY MAY SUE AND BE SUED. HOWEVER, THE DISTRICT, THE AUTHORITY,
9 ITS BOARD OF DIRECTORS, AND ITS ADMINISTRATOR SHALL BENEFIT, TO THE FULLEST
10 EXTENT ALLOWABLE BY LAW, FROM ALL PROVISIONS OF FEDERAL, STATE, AND LOCAL
11 LAW LIMITING THE LIABILITY OF EMPLOYEES, OFFICERS, AGENTS, AND OFFICIALS OF
12 GOVERNMENTAL BODIES.
- 13 (4) THE AUTHORITY MAY ACCEPT GRANTS.
- 14 (5) THE AUTHORITY MAY BORROW FUNDS FOR PURPOSES CONSISTENT WITH THE PUBLIC
15 PURPOSES OF THE AUTHORITY. HOWEVER, NO BORROWING MAY BE FOR A TERM
16 BEYOND THE DATE FOR THE DISTRICT'S RENEWAL UNDER § 20-16 OF THIS SUBTITLE;
- 17 (6) THE AUTHORITY SHALL ADOPT AN ANNUAL BUDGET AND IMPOSE, CHARGE, AND
18 COLLECT THE TAXES OR CHARGES ON BENEFITTED PROPERTIES WITHIN THE DISTRICT,
19 AS AUTHORIZED BY CITY CHARTER ARTICLE II, § (63) AND THIS SUBTITLE.
- 20 (7) THE AUTHORITY MAY CREATE AND ENTER INTO PARTNERSHIPS BETWEEN IT AND
21 VARIOUS PROPERTY OWNERS. THESE PARTNERSHIPS MAY PROVIDE FOR THE PROVISION
22 OF PERMITTED SERVICES AND BENEFITS BY THE AUTHORITY IN EXCHANGE FOR
23 PAYMENTS ARRANGED BY CONTRACT, DONATION, GIFT, SERVICES IN KIND, OR OTHER
24 MECHANISM BY WHICH FUNDS OR BENEFITS ARE PROVIDED TO THE AUTHORITY.
- 25 (8) THE AUTHORITY MAY ESTABLISH AND ELECT OFFICERS NOT ALREADY PROVIDED FOR
26 IN THIS SUBTITLE AND PROVIDE FOR THEIR TERMS AND DUTIES.
- 27 (9) THE AUTHORITY MAY CONTRACT FOR AND PURCHASE GOODS AND SERVICES, WITHOUT
28 HAVING TO COMPLY WITH CITY REQUIREMENTS GOVERNING WAGE SCALES,
29 COMPETITIVE BIDDING, OR OTHER PROCUREMENT MATTERS. HOWEVER, THE
30 AUTHORITY NONETHELESS SHALL BE SUBJECT TO APPLICABLE ORDINANCES
31 REGARDING CITY POLICY ON ENCOURAGING AND ACHIEVING GOALS FOR
32 PARTICIPATION OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES IN THE
33 CONTRACTING ACTIVITIES.
- 34 (10) SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES, THE AUTHORITY MAY
35 ADOPT, AMEND, AND MODIFY BYLAWS, CONSISTENT WITH CITY CHARTER ARTICLE II,
36 § (63) AND THIS SUBTITLE.
- 37 (11) THE AUTHORITY MAY IMPLEMENT ITS PROGRAMS AND GOALS DIRECTLY THROUGH ITS
38 EMPLOYEES OR THROUGH 1 OR MORE CONTRACTS. THESE CONTRACTS MAY BE WITH
39 INDEPENDENT CONTRACTORS OR CONTRACTUAL EMPLOYEES.

Council Bill 18-0288

1 (12) THE AUTHORITY MAY ASSIST IN THE LEASING, MARKETING, AND PROMOTIONAL
2 ACTIVITIES WITHIN THE DISTRICT, TO THE EXTENT THOSE ACTIVITIES ARE APPROVED
3 BY THE GOVERNING BOARD OF THE AUTHORITY.

4 (13) THE AUTHORITY MAY APPOINT, HIRE, OR ENGAGE AUDITORS, ACCOUNTANTS,
5 ATTORNEYS, ASSISTANTS, AIDES, EMPLOYEES, AND ADVISORS AS IT CONSIDERS
6 NECESSARY FOR THE PROPER PERFORMANCE OF ITS DUTIES, BUT CONSISTENT WITH
7 THIS SUBTITLE.

8 (14) THE AUTHORITY MAY DO ALL OTHER THINGS NECESSARY OR CONVENIENT TO CARRY
9 OUT ITS GOALS, OBJECTIVES, AND POWERS.

10 § 20-5. LIMITATIONS ON AUTHORITY.

11 (A) *NOT AGENCY OF CITY OR STATE.*

12 (1) THE AUTHORITY IS NOT AND MAY NOT BE DEEMED TO BE AN AGENCY OF THE MAYOR
13 AND CITY OF BALTIMORE OR OF THE STATE OF MARYLAND.

14 (2) THE OFFICERS AND EMPLOYEES OF THE AUTHORITY ARE NOT AND MAY NOT ACT AS
15 AGENTS OR EMPLOYEES OF THE MAYOR AND CITY OF BALTIMORE OR THE STATE OF
16 MARYLAND.

17 (B) *UNAUTHORIZED ACTIONS.*

18 (1) THE AUTHORITY MAY NOT EXERCISE ANY POLICE OR GENERAL POWERS OTHER THAN
19 THOSE AUTHORIZED BY STATE LAW AND CITY ORDINANCE.

20 (2) THE AUTHORITY MAY NOT PLEDGE THE FULL FAITH OR CREDIT OF THE CITY.

21 ~~(3) THE AUTHORITY MAY NOT LEVY ANY TAXES AGAINST PROPERTIES THAT ARE EXEMPT~~
22 ~~UNDER STATE LAW FROM ORDINARY PROPERTY TAXES.~~

23 (3) THE AUTHORITY MAY NOT IMPOSE TAXES AGAINST PROPERTIES THAT ARE EXEMPT
24 UNDER STATE LAW FROM ORDINARY PROPERTY TAXES.

25 (4) THE AUTHORITY MAY NOT IMPOSE ANY TAXES OR CHARGES IN EXCESS OF THOSE
26 APPROVED BY THE BOARD OF ESTIMATES.

27 (5) THE AUTHORITY MAY NOT EXERCISE THE POWER OF EMINENT DOMAIN.

28 (6) THE AUTHORITY MAY NOT EXTEND ITS LIFE WITHOUT THE APPROVAL OF THE CITY
29 COUNCIL.

30 (7) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE AUTHORITY MAY NOT ENGAGE IN
31 COMPETITION WITH THE PRIVATE SECTOR.

32 (8) EXCEPT AS OTHERWISE PROVIDED IN § 20-17 OF THIS SUBTITLE, THE AUTHORITY MAY
33 NOT REVERT CHARGES OR TAXES COLLECTED UNDER THIS SUBTITLE TO THE GENERAL
34 FUND OF THE CITY.

Council Bill 18-0288

1 (9) THE AUTHORITY MAY NOT EMPLOY INDIVIDUALS WHO RESIDE OUTSIDE OF THE CITY.

2 (10) EXCEPT AS REQUIRED OR APPROPRIATE TO FACILITATE ITS NORMAL OPERATIONS, THE
3 AUTHORITY MAY NOT INCUR DEBT.

4 (11) THE AUTHORITY MAY NOT EXERCISE ANY POWER SPECIFICALLY WITHHELD BY THE
5 TERMS OF EITHER THIS SUBTITLE OR, IF MORE RESTRICTIVE, CITY CHARTER ARTICLE II,
6 § (63).

7 (C) *INTERPRETATION OF POWERS.*

8 THE POWERS OF THE AUTHORITY SHALL BE BROADLY INTERPRETED TO ALLOW THE
9 AUTHORITY TO ACHIEVE THE GOALS OF CITY CHARTER ARTICLE II, § (63), INCLUDING THE
10 PROVISION OF SUPPLEMENTARY SECURITY AND MAINTENANCE SERVICES, THE PROMOTION
11 AND MARKETING OF THE DISTRICT, AND THE PROVISION OF AMENITIES IN PUBLIC AREAS.

12 **§ 20-6. BOARD OF DIRECTORS.**

13 (A) *IN GENERAL.*

14 THE AUTHORITY SHALL BE GOVERNED BY AND ADMINISTERED THROUGH A BOARD OF
15 DIRECTORS (THE "BOARD").

16 (B) *NUMBER AND APPOINTMENT.*

17 (1) THE NUMBER OF VOTING MEMBERS OF THE FULL BOARD MUST BE NOT LESS THAN 9,
18 EXCLUDING VACANCIES, AND NO MORE THAN 15.

19 (2) THE BOARD HAS FULL AUTHORITY TO INCREASE OR DECREASE ITS MEMBERSHIP,
20 WITHIN THE LIMITS SPECIFIED IN THIS SUBSECTION.

21 (C) *COMPOSITION.*

22 (1) OF THE VOTING MEMBERS OF THE BOARD:

23 (I) I SHALL BE THE COUNCILMEMBER FOR THE DISTRICT;

24 (II) I SHALL REPRESENT A NOT-FOR-PROFIT INSTITUTION WITH SIGNIFICANT PROPERTY
25 HOLDINGS ALONG THE YORK ROAD CORRIDOR;

26 (III) I SHALL BE a COMMUNITY REPRESENTATIVE, APPOINTED BY THE YORK ROAD
27 PARTNERSHIP OR ITS SUCCESSOR ORGANIZATION;

28 (IV) AT LEAST 1 SHALL BE A BUSINESS OPERATOR IN THE DISTRICT, WHO DOES NOT
29 OWN THE PROPERTY IN WHICH HIS OR HER BUSINESS IS LOCATED; AND

30 (V) AT LEAST 1 SHALL BE A BUSINESS OPERATOR IN THE DISTRICT, WHO OWNS THE
31 PROPERTY IN WHICH HIS OR HER BUSINESS IS LOCATED.

Council Bill 18-0288

1 (2) AT ALL TIMES, A MAJORITY OF THE BOARD MUST BE REPRESENTATIVES OF PROPERTY
2 OWNERS SUBJECT TO THE TAX IMPOSED BY THIS SUBTITLE AND MUST BE SO
3 DESIGNATED BY THE BOARD.

4 (D) *TERMS TO BE STAGGERED.*

5 THE TERMS OF THE MEMBERS ARE STAGGERED, AS REQUIRED BY THE TERMS OF THE
6 MEMBERS FIRST APPOINTED.

7 (E) *EXERCISE OF AUTHORITY POWERS.*

8 ALL POWERS OF THE AUTHORITY ARE EXERCISED BY AND THROUGH THE BOARD, UNLESS
9 DELEGATED BY THE BOARD TO 1 OR MORE OFFICERS OF THE BOARD OR TO THE
10 ADMINISTRATOR.

11 (F) ~~BYLAWS, RULES, AND REGULATIONS.~~

12 (1) THE BOARD MAY ADOPT ~~BYLAWS, RULES, AND REGULATIONS~~ AS IT CONSIDERS
13 NECESSARY TO CARRY OUT THE POWERS OF THE AUTHORITY. HOWEVER, THESE
14 ~~BYLAWS, RULES, AND REGULATIONS~~ MAY NOT BE INCONSISTENT WITH THE TERMS OF
15 THIS SUBTITLE OR OF CITY CHARTER ARTICLE II, § (63).

16 (2) ALL BYLAWS ARE SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES.

17 (3) THE BOARD MAY ESTABLISH ITS OWN PROCEDURES RELATING TO THE INTERNAL
18 ADMINISTRATION OF THE AUTHORITY, EXCEPT AS MAY BE RESTRICTED BY CITY
19 CHARTER ARTICLE II, § (63) OR THIS SUBTITLE.

20 (G) *OFFICERS.*

21 (1) THE BOARD SHALL SELECT FROM AMONG ITS MEMBERS INDIVIDUALS TO SERVE AS THE
22 CHAIR, VICE-CHAIR, TREASURER, AND SECRETARY OF THE AUTHORITY.

23 (2) THESE OFFICERS SERVE AT THE PLEASURE OF THE BOARD.

24 (3) THE BOARD MAY DELEGATE TO THESE OFFICERS THOSE RESPONSIBILITIES THAT THE
25 BOARD CONSIDERS APPROPRIATE.

26 § 20-7. ANNUAL FINANCIAL PLAN.

27 (A) *BOARD TO ADOPT.*

28 THE BOARD SHALL ADOPT AN ANNUAL FINANCIAL PLAN (THE "FINANCIAL PLAN"), BASED
29 ON THE CITY'S FISCAL YEAR, CONSISTING OF AT LEAST A BUDGET AND A PROPOSED
30 SCHEDULE OF TAXES OR CHARGES TO BE IMPOSED THROUGHOUT THE DISTRICT.

31 (B) *PUBLIC HEARING.*

32 BEFORE ADOPTING THE FINANCIAL PLAN, THE BOARD SHALL ARRANGE FOR A PUBLIC
33 HEARING ON THE PROPOSED PLAN. NOTICE OF THE HEARING MUST BE PUBLISHED IN A

Council Bill 18-0288

1 NEWSPAPER OF GENERAL CIRCULATION IN BALTIMORE CITY AT LEAST ONCE A WEEK FOR 3
2 CONSECUTIVE WEEKS.

3 (C) *BOARD OF ESTIMATES APPROVAL REQUIRED.*

4 THE AUTHORITY MAY NOT APPROVE A FINANCIAL PLAN THAT INCLUDES TAXES OR
5 CHARGES IN EXCESS OF THOSE APPROVED BY THE BOARD OF ESTIMATES.

6 **§ 20-8. SUPPLEMENTAL TAX.**

7 (A) *BOARD OF ESTIMATES TO DETERMINE ASSESSABLE BASE.*

8 (1) THE BOARD OF ESTIMATES SHALL OBTAIN FROM THE DIRECTOR OF FINANCE THE
9 "ASSESSABLE BASE" OF THE DISTRICT, WHICH SHALL CONSTITUTE A LISTING BY
10 PROPERTY AND A CALCULATION OF THE SUM OF ASSESSMENTS ON PROPERTIES SUBJECT
11 TO THE SUPPLEMENTAL TAX.

12 (2) PROPERTIES SUBJECT TO THE TAX SHALL INCLUDE ALL PROPERTIES WITHIN THE
13 DISTRICT EXCEPT:

14 (I) RESIDENTIAL UNITS IN A CONDOMINIUM BUILDING, WHETHER OR NOT THE
15 UNITS ARE OWNER-OCCUPIED; AND

16 (II) ALL OTHER BUILDINGS USED FOR RESIDENTIAL PURPOSES, OTHER THAN A
17 BUILDING THAT CONTAINS 4 OR MORE RENTAL UNITS; AND

18 (III) SUBJECT TO PRORATION, ALL OTHER BUILDINGS OR PORTIONS OF BUILDINGS
19 USED EXCLUSIVELY FOR THE CONSUMPTION AND ENJOYMENT OF ARTS AND
20 CULTURE; AND

21 (IV) PROPERTIES EXEMPT UNDER:

22 (A) THIS SUBTITLE;

23 (B) CITY CHARTER ARTICLE II, § (63); OR

24 (C) ANY OTHER APPLICABLE LAW.

25 (3) THE BOARD OF ESTIMATES SHALL DETERMINE WITH FINALITY THE ASSESSABLE BASE
26 ON WHICH THE SUPPLEMENTAL TAX WILL BE BASED.

27 (B) *ASSESSMENT; COLLECTION; ENFORCEMENT.*

28 (1) FUNDING FOR AUTHORITY OPERATIONS SHALL BE PROVIDED BY A SUPPLEMENTAL
29 PROPERTY TAX (THE "SUPPLEMENTAL TAX") ON THE ASSESSABLE BASE OF THE
30 DISTRICT AS DETERMINED UNDER SUBSECTION (A) OF THIS SECTION.

31 (2) THE SUPPLEMENTAL TAX SHALL BE ASSESSED AND COLLECTED IN CONJUNCTION WITH
32 THE PROPERTY TAXES ASSESSED AND COLLECTED BY THE CITY (THE "REGULAR TAX"),
33 UNLESS OTHERWISE ESTABLISHED BY THE BOARD OF ESTIMATES.

Council Bill 18-0288

1 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE:

2 (I) THE SUPPLEMENTAL TAX SHALL BE ENFORCED IN THE SAME WAY AS THE
3 REGULAR TAX IS ENFORCED; AND

4 (II) ALL PROVISIONS THAT APPLY TO ASSESSMENTS, REFUNDS, CREDITS,
5 COLLECTIONS, AND ENFORCEMENT OF THE REGULAR TAX APPLY TO THE
6 SUPPLEMENTAL TAX.

7 (C) *DETERMINATION OF TAX.*

8 THE SUPPLEMENTAL TAX RATE SHALL BE DETERMINED AS FOLLOWS:

9 (1) ANY INCREASE IN THE RATE OF THE SUPPLEMENTAL TAX MUST BE APPROVED BY A
10 MAJORITY OF THE BOARD'S VOTING MEMBERS.

11 (2) FOR THE FIRST FULL BUDGET YEAR, THE RATE OF THE SUPPLEMENTAL TAX SHALL
12 BE SET TO RAISE REVENUES EQUAL TO THE COSTS OF THE FINANCIAL PLAN.

13 (3) FOR ANY YEAR AFTER THE FIRST FULL BUDGET YEAR, THE RATE OF THE
14 SUPPLEMENTAL TAX MAY BE ADJUSTED TO YIELD REVENUES EQUAL TO THE COSTS
15 OF THE FINANCIAL PLAN. THAT RATE, HOWEVER, MAY NOT BE INCREASED BY
16 MORE THAN ~~10%~~ 5% A YEAR UNLESS THE INCREASE IS APPROVED BY 80% OR
17 MORE OF THE PROPERTY-OWNER REPRESENTATIVES ON THE BOARD.

18 (D) *EXEMPTION FOR PUBLIC SERVICE COMPANIES.*

19 EXEMPT FROM THE SUPPLEMENTAL TAX ARE THE POLES, CONDUITS, TUNNELS, PIPE LINES,
20 MANHOLES, AND OTHER SIMILAR SURFACE OR SUBSURFACE STRUCTURES, INCLUDING
21 THEIR EQUIPMENT, OWNED AND CONTROLLED BY A PUBLIC SERVICE CORPORATION,
22 LOCATED ON, OVER, OR UNDER STREETS, ALLEYS, OR OTHER PUBLIC WAYS OR LANDS, THE
23 CONSTRUCTION OF WHICH IS AUTHORIZED BY THE CITY, AND THE INSTALLATION OF WHICH
24 IS REGULATED AND SUPERVISED BY THE DIRECTOR OF PUBLIC WORKS OR THE DIRECTOR'S
25 DESIGNEE OR THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION OR THE
26 DIRECTOR'S DESIGNEE.

27 **§ 20-9. OTHER CHARGES.**

28 (A) *PROPERTY SUBJECT TO SUPPLEMENTAL TAX.*

29 (1) PROPERTIES THAT ARE SUBJECT TO THE SUPPLEMENTAL TAX ARE NOT REQUIRED TO
30 PAY ANY OTHER CHARGES OR FEES FOR SERVICES GENERALLY PROVIDED WITHIN THE
31 DISTRICT BY THE AUTHORITY.

32 (2) HOWEVER, THE AUTHORITY MAY IMPOSE CHARGES AND FEES FOR ANY SPECIAL
33 SERVICES REQUESTED BY AND PERFORMED FOR 1 OR MORE PROPERTY OWNERS.

Council Bill 18-0288

1 **(B) OTHERS.**

2 WITH THE APPROVAL OF THE BOARD OF ESTIMATES, THE BOARD MAY ESTABLISH OTHER
3 FEES AND CHARGES FOR SPECIFIC SERVICES PERFORMED:

- 4 (1) WITHIN THE DISTRICT;
- 5 (2) WITHIN AREAS ADJOINING THE DISTRICT;
- 6 (3) FOR PROPERTIES AND OWNERS NOT SUBJECT TO THE SUPPLEMENTAL TAX; AND
- 7 (4) IN CONJUNCTION WITH PARTNERSHIPS ENCOURAGED BY THIS SUBTITLE.

8 **§ 20-10. BASELINE CITY SERVICES.**

9 **(A) AGREEMENT TO MAINTAIN.**

10 BEFORE IMPOSING AND COLLECTING THE SUPPLEMENTAL TAX, THE AUTHORITY SHALL
11 ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MAYOR REGARDING THE
12 LEVEL OF SERVICES TO BE MAINTAINED BY THE CITY AS THE CITY'S PARTNERSHIP
13 OBLIGATION TO THE AUTHORITY AND THE DISTRICT'S TAXPAYERS.

14 **(B) SCOPE OF AGREEMENT.**

15 THIS MEMORANDUM OF UNDERSTANDING SHALL:

- 16 (1) DESCRIBE THE EXISTING LEVELS OF SERVICE WITHIN THE DISTRICT;
- 17 (2) COMMIT THE CITY TO THE MAINTENANCE OF THOSE LEVELS OF SERVICE; AND
- 18 (3) OUTLINE THE FURTHER UNDERTAKINGS OF THE CITY IN RESPONSE TO THE
19 INITIATIVE REPRESENTED BY THE CREATION OF THE DISTRICT (THE "BASELINE
20 PLUS").

21 **(C) GOVERNING PRINCIPLES.**

22 THE MAINTENANCE OF EXISTING SERVICES SHALL BE GOVERNED BY 2 PRINCIPLES:

- 23 (1) THOSE SERVICES MAY NOT BE DECREASED EXCEPT:
- 24 (I) AS PART OF AN OVERALL DECREASE IN SERVICES NECESSITATED BY
25 CHANGES IN FUNDING, POLICY, OR RESOURCES; AND
- 26 (II) ONLY IN PROPORTION TO THE DECREASES IMPLEMENTED ELSEWHERE IN THE
27 CITY.
- 28 (2) ANY INCREASE IN SERVICES GENERALLY THROUGHOUT THE CITY SHALL BE
29 MATCHED WITH INCREASES IN THOSE SERVICES WITHIN THE DISTRICT, IN
30 PROPORTION TO THE INCREASES IMPLEMENTED ELSEWHERE IN THE CITY.

Council Bill 18-0288

1 **§ 20-11. PARTNERSHIPS.**

2 (A) *AUTHORITY ENCOURAGED TO CREATE.*

3 THE AUTHORITY IS AUTHORIZED AND ENCOURAGED TO ENTER INTO PARTNERSHIPS WITH
4 THE PROPERTY OWNERS AND USERS WITHIN THE DISTRICT AND ADJOINING AREAS THAT
5 ARE NOT SUBJECT TO THE SUPPLEMENTAL TAX ("EXEMPT PARTNERS") FOR THE PURPOSE
6 OF FURTHERING THE BROAD OBJECTIVES OF IMPROVING AND ENHANCING PUBLIC SERVICES
7 THROUGHOUT THE DISTRICT AND IN ADJOINING AREAS.

8 (B) *SPECIFIC POWERS.*

9 IN FURTHERANCE OF THAT OBJECTIVE, THE AUTHORITY MAY:

10 (1) CONTRACT TO PROVIDE VARYING LEVELS OF SERVICES TO AREAS ADJOINING THE
11 DISTRICT;

12 (2) AGREE TO ACCEPT DONATIONS, CONTRIBUTIONS, AND VOLUNTARY PAYMENTS OF
13 ANY KIND FROM EXEMPT PARTNERS (COLLECTIVELY, "VOLUNTARY PAYMENTS"),
14 WITH OR WITHOUT AGREEMENTS REGARDING SPECIFIC SERVICES AND FUNCTIONS;

15 (3) ENTER INTO AGREEMENTS WITH EXEMPT PARTNERS TO INCLUDE PROPERTY OWNED
16 BY THOSE EXEMPT PARTNERS WITHIN THE DISTRICT IN RETURN FOR VOLUNTARY
17 PAYMENTS OR COMMITMENTS REGARDING THE PROVISION OF SIMILAR SERVICES
18 AND FUNCTIONS WITHIN PROPERTIES OWNED BY EXEMPT PARTNERS; AND

19 (4) ESTABLISH RATES AND CHARGES FOR THE PROVISION OF SERVICES TO EXEMPT
20 PARTNERS.

21 **§ 20-12. COLLECTION AND DISBURSEMENT.**

22 (A) *IN GENERAL.*

23 THE AUTHORITY SHALL ESTABLISH WITH THE APPROPRIATE CITY AGENCIES THE METHODS
24 BY WHICH THE SUPPLEMENTAL TAX IS TO BE ASSESSED, COLLECTED, AND DISBURSED TO
25 THE AUTHORITY.

26 (B) *FUNDS NOT PART OF CITY REVENUE.*

27 AMOUNTS COLLECTED BY THE CITY ON BEHALF OF THE AUTHORITY:

28 (1) MAY NOT BE INCLUDED IN THE REVENUES OF THE CITY;

29 (2) ARE NOT AND MAY NOT BE DEEMED TO BE SUBJECT TO THE BUDGETARY AND
30 APPROPRIATION PROCESS; AND

31 (3) SHALL BE DISBURSED PROMPTLY ON COLLECTION.

Council Bill 18-0288

1 (C) *CITY TO BEAR EXPENSE OF COLLECTION, ETC.*

2 AS PART OF THE CITY'S CONTRIBUTION TO THE DISTRICT, THE COLLECTION, ASSESSMENT,
3 DISBURSEMENT, RECORD-KEEPING, AND ENFORCEMENT INVOLVED IN THE PROCESS MAY
4 NOT BE A CHARGE TO OR AGAINST THE AUTHORITY OR THE DISTRICT, BUT SHALL BE AN
5 ELEMENT OF THE BASELINE PLUS.

6 (D) *DEPARTMENT OF FINANCE AUTHORIZED TO COLLECT.*

7 (1) THE DEPARTMENT OF FINANCE MAY COLLECT THE SUPPLEMENTAL TAX AND OTHER
8 CHARGES AS ARE APPROVED BY THE BOARD OF ESTIMATES.

9 (2) THE ASSESSMENT FOR THE SUPPLEMENTAL TAX MAY BE INCLUDED WITH THE ANNUAL
10 REAL PROPERTY TAX BILL SUBMITTED TO THE OWNERS OF PROPERTIES WITHIN THE
11 DISTRICT.

12 (3) THE DEPARTMENT OF FINANCE SHALL MAKE REGULAR REMITTANCES OF THE
13 AMOUNTS COLLECTED TO THE BOARD OF THE AUTHORITY.

14 (E) *PENALTIES AND INTEREST.*

15 THE PENALTIES AND INTEREST APPLICABLE TO DELINQUENT TAXES SHALL BE APPLIED TO
16 DELINQUENCIES IN PAYMENT OF THE SUPPLEMENTAL TAX.

17 (F) *LIEN ON PROPERTY.*

18 (1) THE AMOUNT OF ANY OUTSTANDING ASSESSMENT ON ANY PROPERTY AND OF
19 ACCRUED INTEREST AND OTHER CHARGES CONSTITUTES A LIEN ON THE PROPERTY.

20 (2) THIS LIEN:

21 (I) TAKES PRECEDENCE OVER ALL OTHER LIENS, WHETHER CREATED BEFORE OR
22 AFTER THE ASSESSMENT, COMMENSURATE WITH A LIEN FOR STATE AND
23 COUNTY TAXES, GENERAL MUNICIPAL TAXES, AND PRIOR IMPROVEMENT
24 ASSESSMENTS; AND

25 (II) MAY NOT BE DEFEATED OR POSTPONED BY ANY PRIVATE OR JUDICIAL SALE, BY
26 ANY MORTGAGE, OR BY ANY ERROR OR MISTAKE IN THE DESCRIPTION OF THE
27 PROPERTY OR IN THE NAMES OF THE OWNERS.

28 (3) NO ERROR IN THE PROCEEDINGS OF THE CITY OR THE BOARD EXEMPTS ANY PROPERTY
29 FROM THE LIEN, FROM ITS PAYMENT, OR FROM THE PENALTIES OR INTEREST ON IT.

30 **§ 20-13. ADMINISTRATOR.**

31 (A) *IN GENERAL.*

32 THE ADMINISTRATOR IS RESPONSIBLE FOR THE DAY-TO-DAY OPERATIONS OF THE BOARD
33 AND ITS EMPLOYEES AND CONTRACTORS.

Council Bill 18-0288

1 (B) *POWERS.*

2 THE ADMINISTRATOR MAY:

- 3 (1) PREPARE THE FINANCIAL PLAN FOR REVIEW AND APPROVAL BY THE BOARD;
- 4 (2) IMPLEMENT THE APPROVED FINANCIAL PLAN AND ARRANGE FOR THE COLLECTION
5 AND DISBURSEMENT OF THE SUPPLEMENTAL TAX AND ALL OTHER CHARGES, FEES,
6 AND REVENUES OF THE AUTHORITY;
- 7 (3) ESTABLISH PROCEDURES AND PROCESSES NECESSARY TO PERFORM THE FUNCTIONS
8 CALLED FOR UNDER THE FINANCIAL PLAN AND THE BUDGET;
- 9 (4) HIRE AND RETAIN EMPLOYEES, AGENTS, AND CONTRACTORS AS NEEDED TO
10 PERFORM THE ADMINISTRATOR'S FUNCTIONS FOR THE AUTHORITY, SUBJECT TO
11 § 20-4(B)(9) OF THIS SUBTITLE;
- 12 (5) EXERCISE THE POWERS GRANTED TO THE AUTHORITY BY THIS SUBTITLE, EXCEPT
13 THAT THE BOARD RETAINS FINAL DISCRETION AND POWER WITH REGARD TO ALL
14 SUBSTANTIVE AGREEMENTS, CONTRACTS, AND OTHER ARRANGEMENTS BINDING
15 ON THE AUTHORITY; AND
- 16 (6) EXERCISE THE ADDITIONAL RIGHTS, POWERS, AND AUTHORITY GRANTED TO THE
17 ADMINISTRATOR BY THE BOARD.

18 (C) *IMMUNITY.*

19 THE ADMINISTRATOR IS THE DIRECT AGENT OF THE AUTHORITY, SO THAT ANY IMMUNITY
20 AFFORDED TO THE AUTHORITY AND ITS OFFICERS, EMPLOYEES, AND AGENTS, IS AFFORDED
21 AS WELL TO THE ADMINISTRATOR.

22 **§ 20-14. OVERSIGHT BY BOARD OF ESTIMATES.**

23 (A) *IN GENERAL.*

24 THE BOARD OF ESTIMATES HAS THE FOLLOWING POWERS WITH REGARD TO THE DISTRICT
25 AND THE AUTHORITY.

26 (B) *FINANCIAL PLAN; RATES AND CHARGES.*

- 27 (1) THE FINANCIAL PLAN AND THE SCHEDULE OF RATES AND CHARGES ARE SUBJECT TO
28 THE APPROVAL OF THE BOARD OF ESTIMATES.
- 29 (2) THE BOARD OF THE AUTHORITY SHALL SUBMIT ALL MATERIALS AT LEAST 2 MONTHS
30 BEFORE THE PROPOSED EFFECTIVE DATE OF A BUDGET OR SUPPLEMENTAL TAX.
- 31 (3) IN CONSIDERING A PROPOSED BUDGET AND SCHEDULE OF TAXES AND CHARGES, THE
32 BOARD OF ESTIMATES MAY NOT EXCEED OR INCREASE EITHER THE BUDGET OR THE
33 SCHEDULE OF TAXES, RATES, AND CHARGES BEYOND THOSE PROPOSED BY THE
34 AUTHORITY.

Council Bill 18-0288

1 (C) *BYLAWS.*

2 THE BOARD OF ESTIMATES MUST APPROVE THE BYLAWS OF THE AUTHORITY AND ANY
3 PROPOSED AMENDMENTS TO IT.

4 (D) *APPROVAL AND RENEWAL PROCESS.*

5 THE BOARD OF ESTIMATES IS THE FINAL ARBITER AND DECISION MAKER REGARDING THE
6 APPROVAL AND RENEWAL PROCESS FOR THE DISTRICT.

7 **§ 20-15. ELECTION APPROVAL PROCESS.**

8 (A) *LIST OF ELIGIBLE VOTERS.*

9 THE BOARD OF ESTIMATES, WITH THE ASSISTANCE OF THE BOARD AND THE DEPARTMENT
10 OF FINANCE, SHALL COMPILE A LIST OF THOSE PERSONS ELIGIBLE TO VOTE ON THE
11 ESTABLISHMENT OF THE DISTRICT AND ON ANY QUESTION RELATING TO ITS RENEWAL.

12 (B) *ELIGIBILITY CRITERIA.*

13 (1) PERSONS ELIGIBLE TO VOTE ARE THE OWNERS OF PROPERTY SUBJECT TO TAX UNDER
14 § 20-8 OF THIS SUBTITLE.

15 (2) NO MORE THAN 1 VOTE MAY BE CAST FOR EACH TAX PARCEL.

16 (C) *ELECTION.*

17 (1) A BALLOT SHALL BE PROVIDED TO EACH ELIGIBLE VOTER FOR THE APPROVAL OF THE
18 ESTABLISHMENT OF THE DISTRICT.

19 (2) EACH BALLOT, WITH A CERTIFIED SIGNATURE OF THE ELIGIBLE VOTER OR DULY
20 AUTHORIZED REPRESENTATIVE, MUST BE RETURNED TO THE BOARD OF ESTIMATES,
21 C/O THE COMPTROLLER'S OFFICE, WITHIN 30 DAYS OF THE DATE SPECIFIED ON THE
22 BALLOT.

23 (D) *PERCENTAGE APPROVAL.*

24 (1) WITHIN 20 DAYS OF THE END OF THE ELECTION PERIOD, THE BOARD OF ESTIMATES
25 SHALL DETERMINE THE AGGREGATE VOTES CAST BY THE ELIGIBLE VOTERS.

26 (2) IF THE BOARD OF ESTIMATES DETERMINES THAT AT LEAST 58% OF THE AGGREGATE
27 VOTES CAST APPROVED THE ESTABLISHMENT OF THE DISTRICT, THE BOARD OF
28 ESTIMATES SHALL CERTIFY THE DISTRICT AND AUTHORITY AS APPROVED FOR
29 OPERATION.

Council Bill 18-0288

1 **§ 20-16. 4-YEAR REVIEWS.**

2 (A) *PUBLIC HEARINGS.*

3 NO LATER THAN 4 YEARS AFTER THE ESTABLISHMENT OF THE DISTRICT, AND EVERY 4
4 YEARS FOLLOWING, THE MAYOR AND CITY COUNCIL SHALL HOLD 1 OR MORE PUBLIC
5 HEARINGS TO EVALUATE THE ACTIVITIES AND UNDERTAKINGS OF THE AUTHORITY AND
6 THE DISTRICT.

7 (B) *MAYOR AND COUNCIL TO DECIDE.*

8 AT THE CONCLUSION OF THE HEARINGS, THE MAYOR AND CITY COUNCIL SHALL
9 DETERMINE WHETHER THE DISTRICT IS TO CONTINUE FOR ANOTHER 4 YEARS.

10 (C) *PROCESS TO BE REPEATED.*

11 THIS PROCESS SHALL BE REPEATED PERIODICALLY TO SATISFY THE REQUIREMENTS OF
12 CITY CHARTER ARTICLE II, § (63).

13 **§ 20-17. DISSOLUTION OF DISTRICT.**

14 (A) *DISSOLUTION ON CERTAIN EVENTS.*

15 IF THE DISTRICT IS NOT APPROVED AS PROVIDED IN § 20-15 OF THIS SUBTITLE, OR IS NOT
16 RENEWED AS PROVIDED IN § 20-16 OF THIS SUBTITLE, THE AUTHORITY SHALL CEASE ITS
17 OPERATIONS, AND THE DISTRICT SHALL CEASE TO EXIST, AT THE END OF THE CITY'S
18 FISCAL YEAR IN WHICH THE TERMINATING EVENT OCCURS.

19 (B) *LIMITED CONTINUATION.*

20 THE AUTHORITY SHALL CONTINUE ITS EXISTENCE ONLY AS LONG AS NECESSARY TO:

21 (1) TERMINATE OPERATIONS IN A REASONABLE FASHION; AND

22 (2) ARRANGE FOR THE REFUNDING OF ALL FUNDS NOT NEEDED TO SATISFY
23 OUTSTANDING OBLIGATIONS AND RESERVES FOR UNCERTAIN OBLIGATIONS AND
24 LIABILITIES.

25 (C) *UNSPENT FUNDS.*

26 ANY UNSPENT FUNDS REVERT TO THE CITY'S GENERAL FUND.

27 **SECTION 2. AND BE IT FURTHER ORDAINED, That:**

28 (a) The Interim Board of the Authority consists of the following individuals:

29 ~~Jill Witty~~
30 Jill Whitty
31 Po Chang
32 Louis Denrich

Council Bill 18-0288

1 Ray Davis
2 Janet Miller
3 Trudy McNair
4 Robert Kelly
5 Donna Blackwell
6 Bill Henry

- 7 (b) The Interim Board is responsible for:
- 8 (1) drafting the bylaws of the Authority;
- 9 (2) recommending a full Board to the Board of Estimates; and
- 10 (3) preparing a proposed operations plan and budget.
- 11 (c) (1) The Interim Board members serve for a period not to exceed 6 months, unless
12 extended by the Board of Estimates, and only until a full Board is approved by the
13 Board of Estimates.
- 14 (2) On a member's resignation, expiration of term, or removal in accordance with the
15 Authority's bylaws, successors shall be elected by the remaining members of the
16 Board.
- 17 (d) (1) The Interim Board shall propose to the Board of Estimates the initial full
18 membership of the Board and the proposed terms for each director. The terms of
19 the proposed members shall be staggered.
- 20 (2) Interim Board members may be included in the recommended full Board list.
- 21 (3) The recommendation shall occur no later than 10 days after approval of the
22 District, and shall be subject to the consent and concurrence of the Board of
23 Estimates.
- 24 (4) The full Board proposed by the Interim Board is subject to the approval of the
25 Board of Estimates.
- 26 (e) (1) The first Financial Plan submitted may be for less than a full fiscal year.
- 27 (2) The initial budget for the Authority shall include all of the fiscal year ending on
28 June 30, 2019, and may include the costs of preparing the Financial Plan and
29 implementing the Authority and the District, whether or not those costs were
30 incurred during that fiscal year.
- 31 (3) If the Authority is not implemented as a result of the election approval process,
32 neither the Authority nor the District, nor the City, has any liability for costs
33 incurred before the initiation of operations, whether or not incurred by the
34 Administrator or on behalf of the District or the Authority.
- 35 (f) For the initial budget year, the rate of the Supplemental Tax shall be set to raise
36 revenues equal to the costs of the Financial Plan.

Council Bill 18-0288

1 (g) The Interim Board may determine the initial Administrator of the Authority.

2 **SECTION 3. AND BE IT FURTHER ORDAINED, That, effective December 31, 2019, City Code**
3 **Article 14, § 11-23 {"York Road"} is repealed, in its entirety, the York Road Retail Business**
4 **District shall cease to exist, and the Business Association for that District shall cease its**
5 **operations.**

6 **SECTION 4. AND BE IT FURTHER ORDAINED, That all provisions of this Ordinance are**
7 **severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection,**
8 **section, or other provision is invalid or that the application of any part of the provision to any**
9 **person or circumstances is invalid, the remaining provisions and the application of those**
10 **provisions to other persons or circumstances are not affected by that decision.**

11 **SECTION 5. AND BE IT FURTHER ORDAINED, That the catchlines contained in this**
12 **Ordinance are not law and may not be considered to have been enacted as a part of this or any**
13 **prior Ordinance.**

14 **SECTION 6. AND BE IT FURTHER ORDAINED, That, except as provided in Section 3 of this**
15 **Ordinance, this Ordinance takes effect on the date it is enacted.**

Bellona-Gittings

Lake Evesham

Evesham Park

Glen Oaks

PROPOSED York Road BID

Rosebank

Chinquapin Park

Homeland

Belvedere

Mid-Govans

Cameron Village

Villages Of Homeland
York-Homeland

Woodbourne-McCabe

Blythwood
Loyola/Notre Dame

Radnor-Winston

Winston-Govans

Kenilworth Park

New Northwood

Kernewood

Richnor Springs

Wrenlane

Wilson Park

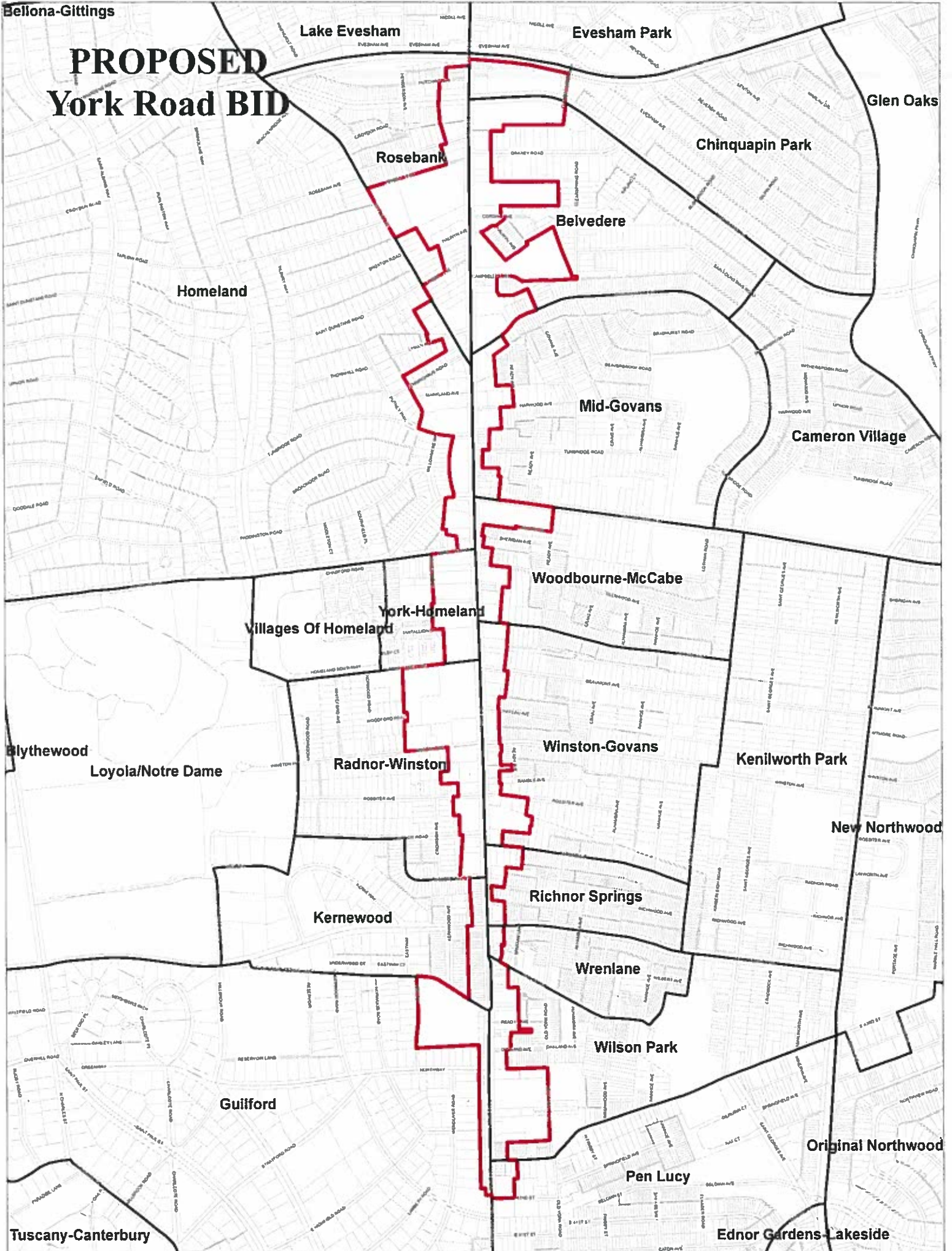
Guilford

Original Northwood

Pen Lucy

Tuscany-Canterbury

Ednor Gardens-Lakeside



Council Bill 18-0288

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City