

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

May 18, 2017

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

Re: City Council Bill 17-0055 – Franchise - Parking Lot, with a Chain Link Fence, in a Portion of the North Side of the Bed of Bath Street, Between Calvert Street and Guilford Avenue

Dear President and City Council Members:

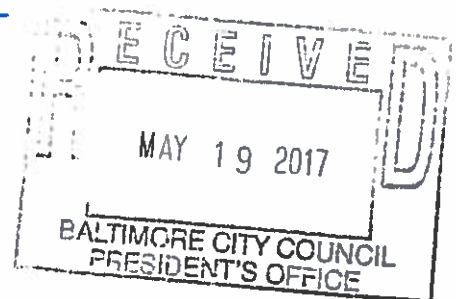
The Law Department has reviewed City Council Bill 17-0055 for form and legal sufficiency. The bill would grant a franchise to MD-North Calvert Street, LLC, to use and maintain an existing parking lot located in a portion of the north side of the bed of Bath Street, between Calvert Street and Guilford Avenue where this parking lot adjoins the property of MD-North Calvert Street, LLC (formerly owned by The A.S. Abell Company) and to use and maintain an existing chain link fence, with a gate, along the eastern, southern, and western boundaries of the parking lot, subject to certain terms, conditions, and reservations. It provides for a special effective date.

The Baltimore City Charter requires that any given franchise be granted by ordinance containing the terms and conditions of the grant. City Charter, Art. VIII, § 1. A bill granting a franchise must be referred to the Board of Estimates (“BOE”) after first reading. City Charter, Art. VIII, § 2. Thereafter, the BOE is empowered to establish by vote or resolution the compensation paid to the City and may alter the terms and conditions under which a franchise is granted. *Id.* The compensation and the terms and conditions approved by the BOE must be attached to the bill before the bill can be enacted. *Id.*

Assuming the above procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.

Sincerely,

Victor K. Tervalo
Chief Solicitor



cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyrn Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor