

**CITY OF BALTIMORE  
COUNCIL BILL 18-0288  
(First Reader)**

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Introduced by: Councilmember Henry, President Young

Introduced and read first time: September 17, 2018

Assigned to: Housing and Urban Affairs Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of Housing and Community Development, Baltimore Development Corporation, Department of Finance, Board of Estimates

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A BILL ENTITLED

1 AN ORDINANCE concerning

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

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

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

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

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**Baltimore City Code**

**Article 14. Special Benefits Districts**

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

**§ 20-1. FINDINGS.**

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

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

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

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

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

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

(2) ACCORDING TO THE PLAN:

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

(ii) GIVEN ITS LARGELY BUILT-OUT NATURE, THE YORK ROAD CORRIDOR OPERATES WITHIN MULTIPLE CONSTRAINTS AS REGARDS TO THE ATTRACTION OF NEW COMMERCIAL/RETAIL DEVELOPMENT OPPORTUNITIES. IN PARTICULAR, LAND PARCELS ALONG YORK ROAD ARE TYPICALLY SMALL, SHALLOW, AND IN MULTIPLE OWNERSHIP; ARDUOUS ASSEMBLAGE OF PARCELS IS TYPICALLY REQUIRED TO ACCOMMODATE THE NEEDS OF MANY RETAILERS. THERE ARE FEW LARGER (2+ ACRE) PARCELS ALONG YORK ROAD, AND NONE ARE VACANT

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1 LAND. OVER TIME THE YORK ROAD CORRIDOR WILL MANAGE ITS REAL  
2 ESTATE RESOURCES IN SUCH A WAY THAT USES ALONG YORK ROAD WILL  
3 BETTER SERVE THE MARKET AREA POPULATION, BY ATTRACTING RETAILERS  
4 WHO WILL SERVE UNMET DEMAND AND BY UPGRADING UNDERUTILIZED  
5 PROPERTIES.

6 (3) RECOMMENDATION OF THE PLAN:

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

24 (C) *CONSIDERATIONS.*

25 IN ADOPTING THIS ORDINANCE, THE CITY COUNCIL HAS:

26 (1) CONSIDERED THE VIEWS OF THE PROPERTY OWNERS, THE RETAIL MERCHANTS, THE  
27 PROPERTY TENANTS, AND THE OTHER MEMBERS OF THE BUSINESS AND  
28 RESIDENTIAL COMMUNITIES WITHIN THE YORK CORRIDOR BUSINESS  
29 IMPROVEMENT DISTRICT.

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

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

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

34 **§ 20-2. DISTRICT ESTABLISHED.**

35 (A) *IN GENERAL.*

36 THERE IS A BUSINESS IMPROVEMENT DISTRICT, TO BE KNOWN AS THE YORK ROAD  
37 BUSINESS IMPROVEMENT DISTRICT (THE “DISTRICT”).

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1 (B) *BOUNDARIES.*

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

4 **§ 20-3. AUTHORITY CREATED.**

5 (A) *AUTHORITY CREATED.*

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

8 (B) *PURPOSE.*

9 THE PURPOSE OF THE AUTHORITY IS TO:

10 (1) PROMOTE AND MARKET THE DISTRICT;

11 (2) PROVIDE SUPPLEMENTAL SECURITY AND MAINTENANCE SERVICES;

12 (3) PROVIDE AMENITIES IN PUBLIC AREAS;

13 (4) IMPLEMENT THE RECOMMENDATIONS OUTLINED IN THE YORK ROAD CORRIDOR  
14 VISION AND ACTION PLAN, ADOPTED BY THE PLANNING COMMISSION IN 2015, AS  
15 THAT PLAN MAY BE MODIFIED OR SUPERSEDED FROM TIME TO TIME BY THE  
16 PLANNING COMMISSION; AND

17 (5) PROVIDE OTHER SERVICES AND FUNCTIONS AS MAY BE REQUESTED BY THE  
18 AUTHORITY AND APPROVED BY AN ORDINANCE OF THE MAYOR AND CITY  
19 COUNCIL.

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

21 (A) *GOVERNMENTAL BODY.*

22 TO THE GREATEST EXTENT ALLOWABLE BY LAW, THE AUTHORITY IS AND SHALL BE  
23 DEEMED TO BE A SPECIAL TAXING DISTRICT AND, THEREFORE, A GOVERNMENTAL BODY,  
24 BOTH POLITIC AND CORPORATE, EXERCISING ONLY THOSE POWERS AS ARE PROVIDED FOR  
25 IN THIS SUBTITLE.

26 (B) *AUTHORIZED ACTIONS.*

27 (1) THE AUTHORITY MAY ACQUIRE, HOLD, AND USE BOTH REAL AND PERSONAL PROPERTY  
28 AS NECESSARY TO ACHIEVE ITS PURPOSES, INCLUDING ACQUISITION BY PURCHASE,  
29 LEASE, OR OTHER MEANS.

30 (2) THE AUTHORITY MAY ENGAGE THE SERVICES OF AN ADMINISTRATOR (THE  
31 "ADMINISTRATOR"), WHO MAY BE AN INDIVIDUAL OR AN ENTITY, TO ADMINISTER THE  
32 PROGRAMS AND UNDERTAKINGS OF THE AUTHORITY.

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

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

3 **§ 20-5. LIMITATIONS ON AUTHORITY.**

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

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

7 (2) THE OFFICERS AND EMPLOYEES OF THE AUTHORITY ARE NOT AND MAY NOT ACT AS  
8 AGENTS OR EMPLOYEES OF THE MAYOR AND CITY OF BALTIMORE OR THE STATE OF  
9 MARYLAND.

10 (B) *UNAUTHORIZED ACTIONS.*

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

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

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

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

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

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

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

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

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

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

29 (11) THE AUTHORITY MAY NOT EXERCISE ANY POWER SPECIFICALLY WITHHELD BY THE  
30 TERMS OF EITHER THIS SUBTITLE OR, IF MORE RESTRICTIVE, CITY CHARTER ARTICLE II,  
31 § (63).

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1 (C) *INTERPRETATION OF POWERS.*

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

6 **§ 20-6. BOARD OF DIRECTORS.**

7 (A) *IN GENERAL.*

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

10 (B) *NUMBER AND APPOINTMENT.*

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

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

15 (C) *COMPOSITION.*

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

17 (I) 1 SHALL BE THE COUNCILMEMBER FOR THE DISTRICT;

18 (II) 1 SHALL REPRESENT A NOT-FOR-PROFIT INSTITUTION WITH SIGNIFICANT PROPERTY  
19 HOLDINGS ALONG THE YORK ROAD CORRIDOR;

20 (III) 1 SHALL BE a COMMUNITY REPRESENTATIVE, APPOINTED BY THE YORK ROAD  
21 PARTNERSHIP OR ITS SUCCESSOR ORGANIZATION;

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

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

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

29 (D) *TERMS TO BE STAGGERED.*

30 THE TERMS OF THE MEMBERS ARE STAGGERED, AS REQUIRED BY THE TERMS OF THE  
31 MEMBERS FIRST APPOINTED.

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1 (E) *EXERCISE OF AUTHORITY POWERS.*

2 ALL POWERS OF THE AUTHORITY ARE EXERCISED BY AND THROUGH THE BOARD, UNLESS  
3 DELEGATED BY THE BOARD TO 1 OR MORE OFFICERS OF THE BOARD OR TO THE  
4 ADMINISTRATOR.

5 (F) *BYLAWS, RULES, AND REGULATIONS.*

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

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

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

14 (G) *OFFICERS.*

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

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

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

20 **§ 20-7. ANNUAL FINANCIAL PLAN.**

21 (A) *BOARD TO ADOPT.*

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

25 (B) *PUBLIC HEARING.*

26 BEFORE ADOPTING THE FINANCIAL PLAN, THE BOARD SHALL ARRANGE FOR A PUBLIC  
27 HEARING ON THE PROPOSED PLAN. NOTICE OF THE HEARING MUST BE PUBLISHED IN A  
28 NEWSPAPER OF GENERAL CIRCULATION IN BALTIMORE CITY AT LEAST ONCE A WEEK FOR 3  
29 CONSECUTIVE WEEKS.

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

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



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1     **§ 20-8. SUPPLEMENTAL TAX.**

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

3                     (1) THE BOARD OF ESTIMATES SHALL OBTAIN FROM THE DIRECTOR OF FINANCE THE  
4                             “ASSESSABLE BASE” OF THE DISTRICT, WHICH SHALL CONSTITUTE A LISTING BY  
5                             PROPERTY AND A CALCULATION OF THE SUM OF ASSESSMENTS ON PROPERTIES SUBJECT  
6                             TO THE SUPPLEMENTAL TAX.

7                     (2) PROPERTIES SUBJECT TO THE TAX SHALL INCLUDE ALL PROPERTIES WITHIN THE  
8                             DISTRICT EXCEPT:

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

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

13                             (III) SUBJECT TO PRORATION, ALL OTHER BUILDINGS OR PORTIONS OF BUILDINGS  
14                                 USED EXCLUSIVELY FOR THE CONSUMPTION AND ENJOYMENT OF ARTS AND  
15                                 CULTURE; AND

16                             (IV) PROPERTIES EXEMPT UNDER:

17                                     (A) THIS SUBTITLE;

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

19                                     (C) ANY OTHER APPLICABLE LAW.

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

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

23                     (1) FUNDING FOR AUTHORITY OPERATIONS SHALL BE PROVIDED BY A SUPPLEMENTAL  
24                             PROPERTY TAX (THE “SUPPLEMENTAL TAX”) ON THE ASSESSABLE BASE OF THE  
25                             DISTRICT AS DETERMINED UNDER SUBSECTION (A) OF THIS SECTION.

26                     (2) THE SUPPLEMENTAL TAX SHALL BE ASSESSED AND COLLECTED IN CONJUNCTION WITH  
27                             THE PROPERTY TAXES ASSESSED AND COLLECTED BY THE CITY (THE “REGULAR TAX”),  
28                             UNLESS OTHERWISE ESTABLISHED BY THE BOARD OF ESTIMATES.

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

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

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1 (ii) ALL PROVISIONS THAT APPLY TO ASSESSMENTS, REFUNDS, CREDITS,  
2 COLLECTIONS, AND ENFORCEMENT OF THE REGULAR TAX APPLY TO THE  
3 SUPPLEMENTAL TAX.

4 (C) *DETERMINATION OF TAX.*

5 THE SUPPLEMENTAL TAX RATE SHALL BE DETERMINED AS FOLLOWS:

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

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

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

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

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

24 **§ 20-9. OTHER CHARGES.**

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

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

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

31 (B) *OTHERS.*

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

34 (1) WITHIN THE DISTRICT;

35 (2) WITHIN AREAS ADJOINING THE DISTRICT;

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1 (3) FOR PROPERTIES AND OWNERS NOT SUBJECT TO THE SUPPLEMENTAL TAX; AND

2 (4) IN CONJUNCTION WITH PARTNERSHIPS ENCOURAGED BY THIS SUBTITLE.

3 **§ 20-10. BASELINE CITY SERVICES.**

4 (A) *AGREEMENT TO MAINTAIN.*

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

9 (B) *SCOPE OF AGREEMENT.*

10 THIS MEMORANDUM OF UNDERSTANDING SHALL:

11 (1) DESCRIBE THE EXISTING LEVELS OF SERVICE WITHIN THE DISTRICT;

12 (2) COMMIT THE CITY TO THE MAINTENANCE OF THOSE LEVELS OF SERVICE; AND

13 (3) OUTLINE THE FURTHER UNDERTAKINGS OF THE CITY IN RESPONSE TO THE  
14 INITIATIVE REPRESENTED BY THE CREATION OF THE DISTRICT (THE "BASELINE  
15 PLUS").

16 (C) *GOVERNING PRINCIPLES.*

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

18 (1) THOSE SERVICES MAY NOT BE DECREASED EXCEPT:

19 (i) AS PART OF AN OVERALL DECREASE IN SERVICES NECESSITATED BY  
20 CHANGES IN FUNDING, POLICY, OR RESOURCES; AND

21 (ii) ONLY IN PROPORTION TO THE DECREASES IMPLEMENTED ELSEWHERE IN THE  
22 CITY.

23 (2) ANY INCREASE IN SERVICES GENERALLY THROUGHOUT THE CITY SHALL BE  
24 MATCHED WITH INCREASES IN THOSE SERVICES WITHIN THE DISTRICT, IN  
25 PROPORTION TO THE INCREASES IMPLEMENTED ELSEWHERE IN THE CITY.

26 **§ 20-11. PARTNERSHIPS.**

27 (A) *AUTHORITY ENCOURAGED TO CREATE.*

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

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1 (B) *SPECIFIC POWERS.*

2 IN FURTHERANCE OF THAT OBJECTIVE, THE AUTHORITY MAY:

3 (1) CONTRACT TO PROVIDE VARYING LEVELS OF SERVICES TO AREAS ADJOINING THE  
4 DISTRICT;

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

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

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

14 **§ 20-12. COLLECTION AND DISBURSEMENT.**

15 (A) *IN GENERAL.*

16 THE AUTHORITY SHALL ESTABLISH WITH THE APPROPRIATE CITY AGENCIES THE METHODS  
17 BY WHICH THE SUPPLEMENTAL TAX IS TO BE ASSESSED, COLLECTED, AND DISBURSED TO  
18 THE AUTHORITY.

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

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

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

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

24 (3) SHALL BE DISBURSED PROMPTLY ON COLLECTION.

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

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

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

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

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

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

6 (E) *PENALTIES AND INTEREST.*

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

9 (F) *LIEN ON PROPERTY.*

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

12 (2) THIS LIEN:

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

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

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

22 § 20-13. ADMINISTRATOR.

23 (A) *IN GENERAL.*

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

26 (B) *POWERS.*

27 THE ADMINISTRATOR MAY:

28 (1) PREPARE THE FINANCIAL PLAN FOR REVIEW AND APPROVAL BY THE BOARD;

29 (2) IMPLEMENT THE APPROVED FINANCIAL PLAN AND ARRANGE FOR THE COLLECTION  
30 AND DISBURSEMENT OF THE SUPPLEMENTAL TAX AND ALL OTHER CHARGES, FEES,  
31 AND REVENUES OF THE AUTHORITY;

32 (3) ESTABLISH PROCEDURES AND PROCESSES NECESSARY TO PERFORM THE FUNCTIONS  
33 CALLED FOR UNDER THE FINANCIAL PLAN AND THE BUDGET;

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1 (4) HIRE AND RETAIN EMPLOYEES, AGENTS, AND CONTRACTORS AS NEEDED TO  
2 PERFORM THE ADMINISTRATOR'S FUNCTIONS FOR THE AUTHORITY, SUBJECT TO  
3 § 20-4(B)(9) OF THIS SUBTITLE;

4 (5) EXERCISE THE POWERS GRANTED TO THE AUTHORITY BY THIS SUBTITLE, EXCEPT  
5 THAT THE BOARD RETAINS FINAL DISCRETION AND POWER WITH REGARD TO ALL  
6 SUBSTANTIVE AGREEMENTS, CONTRACTS, AND OTHER ARRANGEMENTS BINDING  
7 ON THE AUTHORITY; AND

8 (6) EXERCISE THE ADDITIONAL RIGHTS, POWERS, AND AUTHORITY GRANTED TO THE  
9 ADMINISTRATOR BY THE BOARD.

10 (C) *IMMUNITY.*

11 THE ADMINISTRATOR IS THE DIRECT AGENT OF THE AUTHORITY, SO THAT ANY IMMUNITY  
12 AFFORDED TO THE AUTHORITY AND ITS OFFICERS, EMPLOYEES, AND AGENTS, IS AFFORDED  
13 AS WELL TO THE ADMINISTRATOR.

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

15 (A) *IN GENERAL.*

16 THE BOARD OF ESTIMATES HAS THE FOLLOWING POWERS WITH REGARD TO THE DISTRICT  
17 AND THE AUTHORITY.

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

19 (1) THE FINANCIAL PLAN AND THE SCHEDULE OF RATES AND CHARGES ARE SUBJECT TO  
20 THE APPROVAL OF THE BOARD OF ESTIMATES.

21 (2) THE BOARD OF THE AUTHORITY SHALL SUBMIT ALL MATERIALS AT LEAST 2 MONTHS  
22 BEFORE THE PROPOSED EFFECTIVE DATE OF A BUDGET OR SUPPLEMENTAL TAX.

23 (3) IN CONSIDERING A PROPOSED BUDGET AND SCHEDULE OF TAXES AND CHARGES, THE  
24 BOARD OF ESTIMATES MAY NOT EXCEED OR INCREASE EITHER THE BUDGET OR THE  
25 SCHEDULE OF TAXES, RATES, AND CHARGES BEYOND THOSE PROPOSED BY THE  
26 AUTHORITY.

27 (C) *BYLAWS.*

28 THE BOARD OF ESTIMATES MUST APPROVE THE BYLAWS OF THE AUTHORITY AND ANY  
29 PROPOSED AMENDMENTS TO IT.

30 (D) *APPROVAL AND RENEWAL PROCESS.*

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

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1     **§ 20-15. ELECTION APPROVAL PROCESS.**

2             (A) *LIST OF ELIGIBLE VOTERS.*

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

6             (B) *ELIGIBILITY CRITERIA.*

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

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

10            (C) *ELECTION.*

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

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

17            (D) *PERCENTAGE APPROVAL.*

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

20                   (2) IF THE BOARD OF ESTIMATES DETERMINES THAT AT LEAST 58% OF THE AGGREGATE  
21                   VOTES CAST APPROVED THE ESTABLISHMENT OF THE DISTRICT, THE BOARD OF  
22                   ESTIMATES SHALL CERTIFY THE DISTRICT AND AUTHORITY AS APPROVED FOR  
23                   OPERATION.

24     **§ 20-16. 4-YEAR REVIEWS.**

25             (A) *PUBLIC HEARINGS.*

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

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

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

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1 (C) *PROCESS TO BE REPEATED.*

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

4 **§ 20-17. DISSOLUTION OF DISTRICT.**

5 (A) *DISSOLUTION ON CERTAIN EVENTS.*

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

10 (B) *LIMITED CONTINUATION.*

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

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

13 (2) ARRANGE FOR THE REFUNDING OF ALL FUNDS NOT NEEDED TO SATISFY  
14 OUTSTANDING OBLIGATIONS AND RESERVES FOR UNCERTAIN OBLIGATIONS AND  
15 LIABILITIES.

16 (C) *UNSPENT FUNDS.*

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

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

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

20 Jill Witty  
21 Po Chang  
22 Louis Denrich  
23 Ray Davis  
24 Janet Miller  
25 Trudy McNair  
26 Robert Kelly  
27 Donna Blackwell  
28 Bill Henry

29 (b) The Interim Board is responsible for:

30 (1) drafting the bylaws of the Authority;

31 (2) recommending a full Board to the Board of Estimates; and

32 (3) preparing a proposed operations plan and budget.



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1 (c) (1) The Interim Board members serve for a period not to exceed 6 months, unless  
2 extended by the Board of Estimates, and only until a full Board is approved by the  
3 Board of Estimates.

4 (2) On a member's resignation, expiration of term, or removal in accordance with the  
5 Authority's bylaws, successors shall be elected by the remaining members of the  
6 Board.

7 (d) (1) The Interim Board shall propose to the Board of Estimates the initial full  
8 membership of the Board and the proposed terms for each director. The terms of  
9 the proposed members shall be staggered.

10 (2) Interim Board members may be included in the recommended full Board list.

11 (3) The recommendation shall occur no later than 10 days after approval of the  
12 District, and shall be subject to the consent and concurrence of the Board of  
13 Estimates.

14 (4) The full Board proposed by the Interim Board is subject to the approval of the  
15 Board of Estimates.

16 (e) (1) The first Financial Plan submitted may be for less than a full fiscal year.

17 (2) The initial budget for the Authority shall include all of the fiscal year ending on  
18 June 30, 2019, and may include the costs of preparing the Financial Plan and  
19 implementing the Authority and the District, whether or not those costs were  
20 incurred during that fiscal year.

21 (3) If the Authority is not implemented as a result of the election approval process,  
22 neither the Authority nor the District, nor the City, has any liability for costs  
23 incurred before the initiation of operations, whether or not incurred by the  
24 Administrator or on behalf of the District or the Authority.

25 (f) For the initial budget year, the rate of the Supplemental Tax shall be set to raise  
26 revenues equal to the costs of the Financial Plan.

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

28 **SECTION 3. AND BE IT FURTHER ORDAINED,** That all provisions of this Ordinance are  
29 severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection,  
30 section, or other provision is invalid or that the application of any part of the provision to any  
31 person or circumstances is invalid, the remaining provisions and the application of those  
32 provisions to other persons or circumstances are not affected by that decision.

33 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
34 are not law and may not be considered to have been enacted as a part of this or any prior  
35 Ordinance.

36 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is  
37 enacted.

Bellona-Gittings

# PROPOSED York Road BID

Lake Evesham

Evesham Park

Glen Oaks

Rosebank

Chinquapin Park

Homeland

Belvedere

Mid-Govans

Cameron Village

Woodbourne-McCabe

Villages Of Homeland

York-Homeland

Blythewood

Loyola/Notre Dame

Radnor-Winston

Winston-Govans

Kenilworth Park

New Northwood

Kernewood

Richnor Springs

Wrenlane

Wilson Park

Gulford

Original Northwood

Pen Lucy

Tuscany-Canterbury

Ednor Gardens-Lakeside

