

**CITY OF BALTIMORE
COUNCIL BILL 09-0367
(Resolution)**

Introduced by: The Council President
At the request of: The Administration (Baltimore Development Corporation)
Introduced and read first time: July 13, 2009

A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **American Recovery and Reinvestment Act of 2009 –**
3 **Designation of Baltimore City Recovery Zone**

4 FOR the purpose of designating a “recovery zone” in which the proceeds of Recovery Zone
5 Economic Development Bonds and Recovery Zone Facility Bonds may be invested; making
6 certain findings; and providing for a special effective date.

7 **Recitals**

8 The American Recovery and Reinvestment Act of 2009 (“ARRA”) made a number of
9 changes to the tax code that relate to tax-exempt revenue bonds. Taken as a whole, these
10 changes mark the most significant revisions to the municipal bond market since the 1986 Tax
11 Reform Act.

12 Two of these changes, the creation of two new categories of bonds, provide an immediate
13 opportunity for the City and its businesses. The two new bond categories are (1) taxable tax-
14 credit governmental bonds issued under § 1400U-2 of the Internal Revenue Code as
15 Recovery Zone Economic Development Bonds (“RZEDBs”), and (2) private-activity bonds
16 issued under § 1400U-3 of the Internal Revenue Code as Recovery Zone Facility Bonds
17 (“RZFBs”). The RZEDBs are similar to Build America Bonds in that the issuer can receive a
18 direct pay credit from the Treasury Department equal to 45% of the interest payable (as
19 compared to 35% for the Build America Bonds).

20 The proceeds of these two new categories of bonds are to be invested in designated
21 “recovery zones”. For this purpose, the ARRA defines a “recovery zone” as any area:

- 22 1. designated by the issuer as having significant poverty, unemployment, rate of home
23 foreclosures, or general distress,
- 24 2. designated by the issuer as economically distressed by reason of the closure or
25 realignment of a military installation under the Defense Base Closure and
26 Realignment Act of 1990, or
- 27 3. for which a designation as an empowerment or renewal community is in effect.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 Thus, to take advantage of these new opportunities, the City needs to designate a recovery
2 zone. That designation, as shown on the attached map, is based on an overlay of the
3 following designations:

- 4 • Baltimore City Empowerment Zones
- 5 • Baltimore City Enterprise Zones
- 6 • CDBG eligible areas
- 7 • Areas with high foreclosure rates

8 The resultant Baltimore City Recovery Zone thus encompasses large areas of the City that
9 would be eligible for the investment of proceeds derived from the issuance of RZEBDs and
10 RZFBs

11 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
12 City's Recovery Zone is the area designated on the attached map, entitled "Baltimore City
13 Recovery Zone", dated July 6, 2009.

14 **SECTION 2. AND BE IT FURTHER RESOLVED,** That the Mayor and City Council finds and
15 affirms that the designated Baltimore City Recovery Zone is an area that (1) is experiencing
16 significant poverty, unemployment, rate of home foreclosures, or general distress or (2) for
17 which a designation as an empowerment or renewal community is in effect.

18 **SECTION 3. AND BE IT FURTHER RESOLVED,** That this Resolution takes effect on the date it
19 is enacted.