

Council Bill 11-0783

1 Pursuant to the Act and Ordinance 03-642, passed by the City Council effective
2 on December 22, 2003 (“Ordinance 03-642”), the City established a development
3 district known as the North Locust Point Development District (the “North Locust
4 Point Development District”) to facilitate the development of the Infrastructure
5 Improvements (as defined in Ordinance 03-642).

6 Pursuant to the Act, Ordinance 03-642, Article II, Section (62A) of the Baltimore
7 City Charter, Ordinance 04-851 of the City Council and Ordinance 04-850 of the
8 City Council, both effective on November 29, 2004, and a Resolution adopted by
9 the Board of Finance of the City on July 25, 2005, the City issued the Series 2005
10 Bonds (defined herein).

11 The City wishes to expand the North Locust Point Development District by
12 including additional properties for the purpose of providing funds for costs of
13 certain infrastructure improvements and related costs permitted by the Act,
14 including, without limitation, parking facilities; additional road improvements and
15 sidewalks, including a pedestrian bridge; park facilities, including walking and
16 biking paths; promenade improvements; and additional facilities, including pier
17 and bulkhead improvements.

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

20 **Ordinance 03-642**

21 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
22 BALTIMORE, That for the purposes of this Ordinance, the following terms
23 have the meanings indicated:

24 (a) “Act” means the Tax Increment Financing Act, as
25 codified in Article II, Section (62) of the Baltimore City
26 Charter.

27 (B) “2011 ADDITIONAL PROPERTIES” MEANS THE
28 FOLLOWING PROPERTIES: BLOCK 1987B, LOTS 006 AND
29 007.

30 (C) “ADDITIONAL ASSESSABLE BASE” MEANS THE
31 ASSESSABLE BASE OF THE 2011 ADDITIONAL PROPERTIES
32 AS OF JANUARY 1, 2010.

33 (D)[(b)] “Assessable base” means the total assessable base
34 of all real property in the Development District
35 subject to taxation, as determined by the Supervisor
36 of Assessments.

37 (E)[(c)] (1) “Assessment ratio” means any real property tax
38 assessment ratio, however designated or calculated,
39 that is used or applied under applicable general law
40 in determining the assessable base.

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(2) “Assessment ratio” includes the assessment percentage provided under §8-103(c) of the State Tax-Property Article, as amended, replaced, or supplemented from time to time.

(F)[(d)] “Bond” means THE SERIES 2005 BONDS AND any OTHER bond, note, or other similar instrument issued by the Mayor and City Council of Baltimore under the Act.

(G)[(e)] “Development District” means the area in the City designated in Section 3 of this Ordinance as a development district under the Act.

(H)[(f)] “Infrastructure improvements” means the following public infrastructure improvements constructed in accordance with all required City approvals:

- (1) the design and construction of roads, including removal of existing paving, new paving and installation of curbs, gutters, sidewalks, lighting, landscaping, and utilities (including, but not limited to, water, sanitary sewer, storm sewer, and ductbank);
- (2) the design and construction of necessary signalization for a railway crossing;
- (3) the relocation of existing railway tracks and the recreation of related railway stacking capacity;
- (4) PARKING FACILITIES STRUCTURED OR SURFACE PARKING FACILITIES THAT ARE EITHER PUBLICLY OWNED OR SERVING A PUBLIC PURPOSE;
- (5) ADDITIONAL ROAD IMPROVEMENTS AND SIDEWALKS, INCLUDING A PEDESTRIAN BRIDGE;
- (6) THE DESIGN, CONSTRUCTION, RECONSTRUCTION, RENOVATION, AND DEVELOPMENT OF PARK, PLAYING FIELDS, OR PLAYGROUND FACILITIES, INCLUDING WALKING AND BIKING PATHS;

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- 1 (7) ADDITIONAL FACILITIES, INCLUDING PIER
2 AND BULKHEAD IMPROVEMENTS AND
3 PROMENADE IMPROVEMENTS;
- 4 (8)[(4)] the acquisition of land whether
5 inside or outside the Development
6 District for the infrastructure
7 improvements identified in
8 Paragraph [(f)] (H)(1)-[(3)] (7); and
- 9 (9)[(5)] the acquisition, construction,
10 renovation and development of other
11 related public infrastructure
12 improvements that are necessary for
13 the completion of these infrastructure
14 improvements for their intended
15 public purposes.
- 16 (I)[(g)] “Original assessable base” means [the assessable
17 base as of January 1, 2002] COLLECTIVELY, THE
18 ORIGINAL 2003 ASSESSABLE BASE AND THE
19 ADDITIONAL ASSESSABLE BASE.
- 20 (J) “ORIGINAL 2003 ASSESSABLE BASE” MEANS THE
21 ASSESSABLE BASE OF THE ORIGINAL DEVELOPMENT
22 DISTRICT AS OF JANUARY 1, 2002.
- 23 (K) “ORIGINAL DEVELOPMENT DISTRICT” MEANS THE
24 FOLLOWING PROPERTIES: BLOCK 1976, LOT 1; BLOCK
25 1981B, LOTS 8, 12, 24, AND 26; BLOCK 1982, LOT 1;
26 AND BLOCK 2024, LOT 6A.
- 27 (L)[(h)] “Original full cash value” means the dollar amount
28 that is determined by dividing the original
29 assessable base by the assessment ratio used to
30 determine the original assessable base.
- 31 (M)[(I)] “Original taxable value” means, for any tax year,
32 the dollar amount that is the lesser of:
- 33 (1) the product of the original full cash value
34 times the assessment ratio applicable to
35 that tax year; or
- 36 (2) the original assessable base.
- 37 (N) “SERIES 2005 BONDS” MEANS THE MAYOR AND CITY
38 COUNCIL OF BALTIMORE SPECIAL OBLIGATION BONDS
39 (NORTH LOCUST POINT PROJECT) SERIES 2005 ISSUED

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1 ON AUGUST 25, 2005, IN THE AGGREGATE PRINCIPAL
2 AMOUNT OF \$2,977,000.

3 (O)[(j)] “Tax increment” means for any tax year, the
4 amount by which the assessable base as of January 1
5 preceding that tax year exceeds the original taxable
6 value, divided by the assessment ratio used to
7 determine the original taxable value.

8 (P)[(k)] “Tax Increment Fund” means the special fund
9 established by Section 4 of this Ordinance.

10 (Q)[(l)] “Tax year” means the period from July 1 of a
11 calendar year through June 30 of the next calendar
12 year.

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14 SECTION 3. AND BE IT FURTHER ORDAINED, That the contiguous area
15 consisting of the properties designated as Block 1976, Lot 1; Block 1981B,
16 Lots 8, 12, 24 and 26; Block 1982, Lot 1; [and] Block 2024, Lot 6A; AND
17 BLOCK 1987B, LOTS 006 AND 007, together with the adjoining roads,
18 highways, alleys, rights-of-way and other similar property, shown on the
19 map attached to this Ordinance as REVISED Exhibit 1, and made a part of
20 this Ordinance, is designated as a development district to be known as the
21 “North Locust Point Development District.”

22 SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore
23 affirms and ratifies the establishment of the North Locust Point Development District, the
24 creation of a Tax Increment Fund for such Development District and the issuance of bonds from
25 time to time, all for the purposes set forth in Ordinance 03-642, as amended hereby, and except
26 as hereby specifically amended, Ordinance 03-642 is hereby confirmed and ratified in all respects
27 and shall remain in full force and effect according to its terms.

28 SECTION 3. AND BE IT FURTHER ORDAINED, That the Mayor and City Council of Baltimore
29 finds and determines that the expansion of the North Locust Point Development District and the
30 further issuance of bonds from time to time, for the purpose of providing funds for the financing
31 of infrastructure improvements and the acquisition of land within and outside the Development
32 District, accomplishes the purposes of the Act, serves public purposes, including the direct and
33 indirect enhancement of the taxable base of Baltimore City and the facilitation of planned
34 improvements to the North Locust Point area, and generally promotes the health, welfare, and
35 safety of the residents of the State of Maryland and of the City of Baltimore.

36 SECTION 4. AND BE IT FURTHER ORDAINED, That the provisions of this Ordinance are
37 severable. If any provision, sentence, clause, section or other part of this Ordinance is held or
38 determined to be illegal, invalid, unconstitutional, or inapplicable to any person or circumstances,
39 that illegality, invalidity, unconstitutionality, or inapplicability does not affect or impair any of
40 the remaining provisions, sentences, clauses, sections, or parts of this Ordinance or their
41 application to other persons or circumstances. It is the intent of the Mayor and City Council of
42 Baltimore that this Ordinance would have been passed even if the illegal, invalid,
43 unconstitutional, or inapplicable provision, sentence, clause, section, or other part had not been

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1 included in this Ordinance, and as if the person or circumstances to which this Ordinance or part
2 are inapplicable had been specifically exempted.

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

5 **REVISED EXHIBIT 1**
6 **Map of Development District**

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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