

**CITY OF BALTIMORE
COUNCIL BILL 25-0019
(First Reader)**

Introduced by: Councilmember Blanchard

At the request of: The Administration

Cosponsored by: Councilmembers Parker, Conway, Torrence, Porter, Jones, Glover, and Ramos

Introduced and read first time: February 10, 2025

Assigned to: Housing and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Midtown Community Benefits District and Management Authority — Establishment**

3 FOR the purpose of creating a community benefits district within Baltimore City; specifying the
4 boundaries of the District; creating an Authority and describing its rights, duties, and powers;
5 designating the initial interim Board of the Authority and providing for the selection and
6 approval of a full Board; creating the administrator for the Authority to administer the
7 District; mandating the financial responsibilities of the Authority and the City in conjunction
8 with the operation of the District; providing for a supplemental tax to be collected by and for
9 the Authority; establishing limits and minimums on the amount of the supplemental tax;
10 incorporating the assessment, collection, and enforcement process for the supplemental tax
11 within the procedures and processes already existing; specifying the role of the City in
12 maintaining and enhancing existing services; encouraging the creation of partnerships
13 between and among the Authority, the City, the State, the federal government, and other
14 property owners not subject to the supplemental tax; establishing the Board of Estimates as
15 the entity charged with reviewing and approving various matters relating to the District and
16 the Authority; providing for the renewal, expiration, termination, and approval of the District
17 and the Authority; and otherwise providing for the existence, operation, and control of the
18 District and the Authority.

19 BY authority

20 Article II - General Powers

21 Section (63)

22 Baltimore City Charter

23 (Edition 1996)

24 BY repealing

25 Article 14 - Special Benefits Districts

26 Sections 7-1 to 7-17 and the subtitle designation,

27 “Subtitle 7. Midtown Community Benefits District”

28 Baltimore City Code

29 (Edition 2000)

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

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1 BY adding
2 Article 14 - Special Benefits Districts
3 Sections 7-1 to 7-17 to be under the new subtitle designation,
4 “Subtitle 7. Midtown Community Benefits District”
5 Baltimore City Code
6 (Edition 2000)

7 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
8 Sections 7-1 to 7-17 and the subtitle designation “Subtitle 7. Midtown Community Benefits
9 District” of Article 14 of the Baltimore City Code be repealed.

10 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Laws of Baltimore City read as
11 follows:

12 **Baltimore City Code**

13 **Article 14. Special Benefits Districts**

14 **SUBTITLE 7. MIDTOWN COMMUNITY BENEFITS DISTRICT**

15 **§ 7-1. DECLARATIONS.**

16 (A) *FINDINGS.*

17 AFTER GIVING CONSIDERATION TO THE VIEWS OF THE PROPERTY OWNERS, THE RETAIL
18 MERCHANTS, THE PROPERTY TENANTS, AND OTHER MEMBERS OF THE BUSINESS AND
19 RESIDENTIAL COMMUNITIES WITHIN THE MIDTOWN COMMUNITY BENEFITS DISTRICT (THE
20 “DISTRICT”), AND AFTER A PUBLIC HEARING, THE MAYOR AND CITY COUNCIL HAS
21 DETERMINED THAT:

22 (1) THE DISTRICT CREATED UNDER THIS SUBTITLE WILL REFLECT A DIVERSE MIX OF
23 BUSINESS AND RESIDENTIAL PROPERTIES; AND

24 (2) THE DISTRICT WILL REFLECT A DIVERSE ECONOMIC, SOCIAL, AND RACIAL MIX.

25 (B) *RECOMMENDATION.*

26 THE MAYOR AND CITY COUNCIL RECOMMENDS THAT RESIDENTS OF THE DISTRICT
27 CONSULT A TAX ADVISOR BEFORE TREATING THE SUPPLEMENTAL TAX PAID TO THE
28 DISTRICT AS A DEDUCTIBLE TAX.

29 **§ 7-2. DISTRICT CREATED; BOUNDARIES.**

30 (A) *IN GENERAL.*

31 THERE IS A COMMUNITY BENEFITS DISTRICT TO BE KNOWN AS THE MIDTOWN COMMUNITY
32 BENEFITS DISTRICT, WITHIN THE FOLLOWING BOUNDARIES:

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1 BEGINNING AT THE POINT OF INTERSECTION OF THE CENTER LINES OF FRANKLIN
2 STREET AND PARK AVENUE; THEN EAST ALONG THE NORTH SIDE OF FRANKLIN STREET
3 TO INTERSECT WITH THE PROPERTY LINE BETWEEN LOT 4 AND LOT 5 OF BLOCK 551;
4 THEN NORTH ALONG THAT PROPERTY LINE CONTINUING ACROSS HAMILTON STREET TO
5 INTERSECT WITH THE NORTH SIDE OF CENTRE STREET; THEN EAST ON THE NORTH SIDE
6 OF CENTRE STREET TO INTERSECT WITH THE CENTER LINE OF I-83; THEN NORTH ON
7 1-83 TO INTERSECT WITH THE WEST SIDE OF CALVERT STREET; THEN NORTH ON THE
8 WEST SIDE OF CALVERT STREET TO INTERSECT WITH THE SOUTH SIDE OF NORTH
9 AVENUE; THEN WEST ON THE SOUTH SIDE OF NORTH AVENUE; THEN CONTINUING
10 WEST ON THE SOUTH SIDE OF NORTH AVENUE TO INTERSECT WITH THE SOUTHEAST
11 SIDE OF GOLD STREET; THEN SOUTHWEST ON THE SOUTHEAST SIDE OF GOLD STREET
12 TO INTERSECT WITH THE NORTHEAST SIDE OF TIFFANY ALLEY; THEN SOUTHEAST ON
13 THE NORTHEAST SIDE OF TIFFANY ALLEY TO INTERSECT WITH THE NORTHWEST SIDE
14 OF DOLPHIN STREET; THEN NORTHEAST ON THE NORTHWEST AND NORTH SIDES OF
15 DOLPHIN STREET TO INTERSECT WITH THE NORTHEAST SIDE OF MADISON AVENUE;
16 THEN SOUTHEAST ON THE EAST SIDE OF MADISON AVENUE TO INTERSECT WITH THE
17 SOUTHEAST SIDE OF MARTIN LUTHER KING, JR. BOULEVARD; THEN SOUTHWEST ON
18 THE NORTHEAST SIDE OF MARTIN LUTHER KING, JR. BOULEVARD TO INTERSECT WITH
19 THE NORTHEAST SIDE OF READ STREET; THEN SOUTHEAST ON THE NORTHEAST SIDE OF
20 READ STREET TO INTERSECT WITH THE EAST SIDE OF TYSON STREET; THEN SOUTH ON
21 THE EAST SIDE OF TYSON STREET TO INTERSECT WITH THE SOUTH SIDE OF MONUMENT
22 STREET; THEN WEST ON THE SOUTH SIDE OF MONUMENT STREET TO INTERSECT WITH
23 THE EAST SIDE OF HOWARD STREET; THEN SOUTH ON THE EAST SIDE OF HOWARD
24 STREET TO INTERSECT WITH THE NORTH SIDE OF CENTRE STREET; THEN EAST ON THE
25 NORTH SIDE OF CENTRE STREET TO INTERSECT WITH THE EAST SIDE OF PARK AVENUE;
26 THEN SOUTH ON THE EAST SIDE OF PARK AVENUE TO THE POINT OF BEGINNING.

27 PROVIDED, HOWEVER, THAT THE FOLLOWING PROPERTY IS INCLUDED IN THE DESCRIBED
28 AREA: 1801 FALLS ROAD (BLOCK 387, LOTS 25B, 26, 35, 36, 37, AND 38).

29 (B) *PROPERTIES IN 2 OR MORE DISTRICTS.*

30 IF BOUNDARY DESCRIPTIONS RESULT IN A PROPERTY BEING LOCATED IN 2 OR MORE
31 COMMUNITY BENEFITS DISTRICTS, THEN THE PROPERTY IS CONSIDERED TO BE CONTAINED
32 IN THE FIRST COMMUNITY BENEFITS DISTRICT CREATED.

33 **§ 7-3. AUTHORITY CREATED.**

34 (A) *AUTHORITY CREATED.*

35 THERE IS A MIDTOWN COMMUNITY BENEFITS DISTRICT MANAGEMENT AUTHORITY,
36 REFERRED TO IN THIS SUBTITLE AS THE “AUTHORITY”.

37 (B) *PURPOSE.*

38 THE PURPOSE OF THE AUTHORITY IS TO:

- 39 (1) PROMOTE AND MARKET THE DISTRICT;

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- 1 (2) PROVIDE SUPPLEMENTAL SECURITY AND MAINTENANCE SERVICES FOR PROPERTIES
2 WITHIN THE DISTRICT;
- 3 (3) PROVIDE AMENITIES IN PUBLIC AREAS;
- 4 (4) PROVIDE PARK AND RECREATIONAL PROGRAMS AND FUNCTIONS; AND
- 5 (5) AFTER ITS ESTABLISHMENT, OTHER SERVICES AND FUNCTIONS AS REQUESTED BY
6 THE AUTHORITY AND APPROVED BY AN ORDINANCE OF THE MAYOR AND CITY
7 COUNCIL.

8 § 7-4. POWERS AND FUNCTIONS OF AUTHORITY.

9 (A) *POWERS.*

10 TO THE GREATEST EXTENT ALLOWABLE BY LAW, THE AUTHORITY IS AND SHALL BE
11 DEEMED TO BE A SPECIAL TAX DISTRICT, EXERCISING ONLY THOSE POWERS AS ARE
12 PROVIDED FOR IN THIS SUBTITLE.

13 (B) *AUTHORIZED ACTIONS.*

14 THE AUTHORITY:

- 15 (1) MAY ACQUIRE, HOLD, AND USE BOTH REAL AND PERSONAL PROPERTY NECESSARY
16 TO ACHIEVE ITS PURPOSES, INCLUDING ACQUISITION BY PURCHASE, LEASE, OR
17 OTHER MEANS;
- 18 (2) MAY ENGAGE THE SERVICES OF AN ADMINISTRATOR (THE “ADMINISTRATOR”),
19 WHICH MAY BE AN INDIVIDUAL OR AN ENTITY, TO ADMINISTER THE PROGRAMS
20 AND UNDERTAKINGS OF THE AUTHORITY;
- 21 (3) MAY SUE AND BE SUED, PROVIDED THAT THE DISTRICT, THE AUTHORITY, THE
22 AUTHORITY’S BOARD OF DIRECTORS, AND THE ADMINISTRATOR SHALL BENEFIT,
23 TO THE FULLEST EXTENT ALLOWABLE BY LAW, FROM ANY PROVISIONS OF
24 FEDERAL, STATE, AND LOCAL LAW LIMITING THE LIABILITY OF EMPLOYEES,
25 OFFICERS, AGENTS, AND OFFICIALS OF GOVERNMENTAL BODIES;
- 26 (4) MAY ACCEPT GRANTS;
- 27 (5) MAY BORROW FUNDS FOR PURPOSES CONSISTENT WITH THE PUBLIC PURPOSES OF
28 THE AUTHORITY, PROVIDED NO BORROWING SHALL BE FOR A TERM BEYOND THE
29 DATE FOR RENEWAL OF THE DISTRICT UNDER § 7-16 {“4-YEAR REVIEWS”} OF THIS
30 SUBTITLE;
- 31 (6) SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES, SHALL ADOPT AN
32 ANNUAL FINANCIAL PLAN THAT INCLUDES A BUDGET AND THE TAXES OR CHARGES
33 ON BENEFITTED PROPERTIES WITHIN THE DISTRICT AUTHORIZED BY CITY CHARTER
34 ARTICLE II, § (63) AND THIS SUBTITLE;

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1 (7) MAY CREATE AND ENTER INTO PARTNERSHIPS BETWEEN THE AUTHORITY AND
2 VARIOUS PROPERTY OWNERS OTHERWISE EXEMPT FROM ORDINARY PROPERTY
3 TAXES, WHICH PARTNERSHIPS MAY PROVIDE FOR THE PROVISION OF PERMITTED
4 SERVICES AND BENEFITS BY THE AUTHORITY IN EXCHANGE FOR PAYMENTS
5 ARRANGED BY CONTRACT, DONATION, GIFT, SERVICES IN KIND, OR OTHER
6 MECHANISM BY WHICH FUNDS OR BENEFITS ARE PROVIDED TO THE AUTHORITY;

7 (8) MAY ESTABLISH AND ELECT SUCH OFFICERS OF THE BOARD AS ARE NOT SPECIFIED
8 IN THIS SUBTITLE AND PROVIDE FOR TERMS AND DUTIES OF THE OFFICERS;

9 (9) MAY CONTRACT FOR AND PURCHASE GOODS AND SERVICES, WITHOUT BEING
10 SUBJECT TO BALTIMORE CITY REQUIREMENTS REGARDING WAGE SCALES,
11 COMPETITIVE BIDDING, OR OTHER LOCAL PROCUREMENT LAWS, BUT NONETHELESS
12 SHALL BE SUBJECT TO APPLICABLE ORDINANCES REGARDING CITY POLICY ON
13 ENCOURAGING AND ACHIEVING GOALS FOR MINORITY AND WOMEN’S BUSINESS
14 ENTERPRISES PARTICIPATION IN THE CONTRACTING ACTIVITIES OF THE
15 AUTHORITY;

16 (10) SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES, SHALL ADOPT, AMEND,
17 AND MODIFY BYLAWS, CONSISTENT WITH CITY CHARTER ARTICLE II, § (63) AND
18 THIS SUBTITLE;

19 (11) MAY IMPLEMENT THE PROGRAMS AND GOALS OF THE AUTHORITY DIRECTLY
20 THROUGH EMPLOYEES, OR THROUGH 1 OR MORE CONTRACTS, WHICH CONTRACTS
21 MAY BE WITH INDEPENDENT CONTRACTORS OR CONTRACTUAL EMPLOYEES;

22 (12) MAY ASSIST IN THE LEASING, MARKETING, AND PROMOTIONAL ACTIVITIES WITHIN
23 THE DISTRICT, TO THE EXTENT SUCH ACTIVITIES ARE APPROVED BY THE
24 GOVERNING BOARD OF THE AUTHORITY;

25 (13) MAY APPOINT, HIRE, OR ENGAGE SUCH AUDITORS, ACCOUNTANTS, ATTORNEYS,
26 ASSISTANTS, AIDES, EMPLOYEES, AND ADVISORS AS MAY BE DEEMED NECESSARY
27 FOR THE PROPER PERFORMANCE OF THE DUTIES OF SAID AUTHORITY, BUT
28 CONSISTENT WITH THIS SUBTITLE; AND

29 (14) MAY DO ALL OTHER THINGS NECESSARY OR CONVENIENT TO CARRY OUT ITS
30 GOALS, OBJECTIVES, AND POWERS.

31 **§ 7-5. LIMITATIONS ON AUTHORITY.**

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

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

35 (2) THE OFFICERS AND EMPLOYEES OF THE AUTHORITY ARE NOT AND MAY NOT ACT AS
36 AGENTS OR EMPLOYEES OF THE MAYOR AND CITY OF BALTIMORE OR THE STATE OF
37 MARYLAND.

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1 (B) *UNAUTHORIZED ACTIONS.*

2 THE AUTHORITY MAY NOT:

- 3 (1) EXERCISE ANY POLICE OR GENERAL POWERS OTHER THAN THOSE AUTHORIZED BY
4 STATE LAW AND CITY ORDINANCE;
- 5 (2) PLEDGE THE FULL FAITH OR CREDIT OF THE CITY;
- 6 (3) IMPOSE TAXES AGAINST PROPERTIES THAT ARE EXEMPT UNDER STATE LAW FROM
7 ORDINARY PROPERTY TAXES;
- 8 (4) IMPOSE TAXES OR CHARGES IN EXCESS OF THOSE APPROVED BY THE BOARD OF
9 ESTIMATES;
- 10 (5) EXERCISE THE POWER OF EMINENT DOMAIN;
- 11 (6) EXTEND ITS LIFE WITHOUT THE APPROVAL OF THE CITY COUNCIL;
- 12 (7) EXCEPT AS OTHERWISE PROVIDED BY LAW, ENGAGE IN COMPETITION WITH THE
13 PRIVATE SECTOR;
- 14 (8) EXCEPT AS OTHERWISE PROVIDED IN § 7-17 {"DISSOLUTION OF DISTRICT"},
15 REVERT CHARGES OR TAXES COLLECTED PURSUANT TO THIS SUBTITLE TO THE
16 GENERAL FUND OF THE CITY;
- 17 (9) EMPLOY INDIVIDUALS WHO RESIDE OUTSIDE THE CITY OF BALTIMORE;
- 18 (10) EXCEPT AS REQUIRED OR APPROPRIATE TO FACILITATE ITS NORMAL OPERATIONS,
19 INCUR DEBT; AND
- 20 (11) EXERCISE ANY POWER SPECIFICALLY WITHHELD BY THE TERMS OF EITHER THIS
21 SUBTITLE OR, IF MORE RESTRICTIVE, CITY CHARTER ARTICLE II, § (63).

22 (C) *INTERPRETATION OF POWERS.*

23 THE POWERS OF THE AUTHORITY SHALL BE BROADLY INTERPRETED TO ALLOW THE:

- 24 (1) AUTHORITY TO ACHIEVE THE GOALS OF CITY CHARTER ARTICLE II, § (63),
25 INCLUDING THE PROVISION OF SUPPLEMENTARY SECURITY AND MAINTENANCE
26 SERVICES;
- 27 (2) THE PROMOTION AND MARKETING OF THE DISTRICT; AND
- 28 (3) THE PROVISION OF AMENITIES IN PUBLIC AREAS.

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1 **§ 7-6. BOARD OF DIRECTORS.**

2 (A) *IN GENERAL.*

3 THE AUTHORITY SHALL BE GOVERNED BY AND ADMINISTERED THROUGH A BOARD OF
4 DIRECTORS (THE “BOARD”).

5 (B) *INTERIM BOARD.*

6 (1) THE INTERIM BOARD OF THE AUTHORITY SHALL BE THOSE INDIVIDUALS WHOSE
7 NAMES ARE SET FORTH BELOW, OF WHOM, CERTAIN INDIVIDUALS SHALL SERVE IN THE
8 CAPACITY IDENTIFIED:

9 (I) NICHOLAS COHEN, CHAIR OF THE INTERIM BOARD;

10 (II) CAMILLE KASHAKA, VICE CHAIR OF THE INTERIM BOARD;

11 (III) LEE TAWNEY, SECRETARY OF THE INTERIM BOARD;

12 (IV) STEVE JOHNSON, TREASURER OF THE INTERIM BOARD;

13 (V) UNIQUE ROBINSON;

14 (VI) KEVIN DANIELS;

15 (VII) OGE OLKOLI;

16 (VIII) SAM WILSON;

17

18 (IX) JOELLE JOHNSON;

19 (X) DAVID LAPIDES;

20 (XI) FRITZ MEYER;

21 (XII) KEVIN GRIFFIN MORENO;

22 (XIII) OMAR HAMZA;

23 (XIV) JACK DANNA;

24 (XV) ALAN D. ROBINSON;

25 (XVI) MARY ANN HENDERSON;

26 (XVII) COLLEEN STANLEY;

27 (XVIII) CHRIS LAMB;

28 (XIX) REKEA WILLIAMS;

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1 (XX) KRISTIN SPEAKER;

2 (XXI) NICHOLAS ROBERTS;

3 (XXII) MARK LONGHURST;

4 (XXIII) KRISTA GREEN; AND

5 (XXIV) ZACHARY BLANCHARD

6 (2) THE INTERIM BOARD SHALL BE RESPONSIBLE FOR:

7 (I) DRAFTING THE BYLAWS OF THE AUTHORITY;

8 (II) RECOMMENDING A FULL BOARD FOR THE AUTHORITY TO THE BOARD OF
9 ESTIMATES; AND

10 (III) PREPARING A PROPOSED OPERATIONS PLAN AND FINANCIAL PLAN.

11 (C) *NUMBER AND APPOINTMENT.*

12 (1) THE NUMBER OF VOTING MEMBERS OF THE FULL BOARD MAY NOT BE LESS THAN 14,
13 EXCLUDING VACANCIES, AND MAY NOT BE MORE THAN 25.

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

16 (D) *TERM.*

17 (1) THE TERMS OF THE MEMBERS ARE STAGGERED, AS REQUIRED BY THE TERMS OF THE
18 MEMBERS FIRST APPOINTED.

19 (2) IN THE EVENT OF A MEMBER'S RESIGNATION, EXPIRATION OF TERM, OR REMOVAL IN
20 ACCORDANCE WITH THE BYLAWS OF THE AUTHORITY, SUCCESSORS SHALL BE ELECTED
21 BY THE REMAINING MEMBERS OF THE BOARD.

22 (E) *COMPOSITION.*

23 (1) THE BOARD COMPRISES THE FOLLOWING VOTING MEMBERS:

24 (I) 1 MEMBER APPOINTED BY THE MAYOR;

25 (II) 1 MEMBER SHALL BE A MEMBER OF THE CITY COUNCIL APPOINTED BY THE
26 PRESIDENT OF THE CITY COUNCIL;

27 (III) AT LEAST 2 MEMBERS FROM EACH OF THE FOLLOWING CONSTITUENT
28 ORGANIZATIONS WITHIN THE DISTRICT:

29 (A) CHARLES-NORTH COMMUNITY ASSOCIATION;

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1 (B) BOLTON HILL COMMUNITY ASSOCIATION;

2 (C) MADISON PARK IMPROVEMENT ASSOCIATION, INC.; AND

3 (D) MT. VERNON-BELVEDERE IMPROVEMENT ASSOCIATION; AND

4 (IV) 4 AT-LARGE MEMBERS, 1 FROM EACH OF THE
5 FOLLOWING COMMUNITIES COMPRISING THE DISTRICT:

6 (A) CHARLES-NORTH;

7 (B) BOLTON HILL;

8 (C) MADISON-PARK; AND

9 (D) MT. VERNON-BELVEDERE.

10 (2) THE BOARD MAY CONTAIN ADDITIONAL MEMBERS FROM THE FOLLOWING
11 CONSTITUENT GROUPS, AS DETERMINED BY THE BOARD FROM TIME TO TIME:

12 (I) UP TO 3 VOTING MEMBERS FROM THE ORGANIZATIONS WITHIN THE DISTRICT
13 THAT MAKE VOLUNTARY CONTRIBUTIONS TO THE DISTRICT, WHICH INCLUDE:

14 (A) THE MARYLAND INSTITUTE COLLEGE OF ART;

15 (B) THE UNIVERSITY OF BALTIMORE; AND

16 (C) THE PEABODY INSTITUTE OF THE JOHNS HOPKINS UNIVERSITY; AND

17 (II) UP TO 6 VOTING MEMBERS REPRESENTING CONSTITUENCIES THAT THE BOARD
18 DETERMINES WILL ENHANCE THE AUTHORITY'S SUCCESS IN FURTHERING THE
19 BROAD OBJECTIVES OF IMPROVING AND ENHANCING PUBLIC SERVICES
20 THROUGHOUT THE DISTRICT, INCLUDING, BY WAY OF EXAMPLE ONLY:

21 (A) RETAIL MERCHANTS;

22 (B) MAJOR EMPLOYERS;

23 (C) PROFESSIONALS PRACTICING IN THE DISTRICT; AND

24 (D) RESIDENTIAL TENANTS.

25 (3) AT LEAST 2/3RDS OF THE BOARD SHALL BE PROPERTY OWNERS OR REPRESENTATIVES
26 OF PROPERTY OWNERS SUBJECT TO THE TAX IMPOSED BY THIS SUBTITLE.

27 (4) CONSISTENT WITH THE ENCOURAGEMENT OF PARTNERSHIPS BETWEEN THE
28 AUTHORITY AND PROPERTY OWNERS EXEMPT FROM THE TAX IMPOSED BY THIS
29 SUBTITLE, THE BOARD IS ENCOURAGED TO CONSIDER REPRESENTATION OF EXEMPT
30 PARTNERS ON THE BOARD.

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1 (F) *EXERCISE OF AUTHORITY POWERS.*

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

5 (G) *BYLAWS.*

6 (1) THE BOARD MAY ADOPT SUCH BYLAWS AS IT DEEMS NECESSARY TO CARRY OUT THE
7 POWERS OF THE AUTHORITY, SO LONG AS THE SAME SHALL NOT BE INCONSISTENT
8 WITH THE TERMS OF THIS SUBTITLE OR OF CITY CHARTER ARTICLE II, § (63).

9 (2) ALL BYLAWS SHALL BE SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES.

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

13 (H) *OFFICERS.*

14 (1) THE BOARD SHALL SELECT FROM AMONG ITS MEMBERS INDIVIDUALS TO SERVE AS THE
15 AUTHORITY'S:

16 (I) CHAIR;

17 (II) VICE-CHAIR;

18 (III) TREASURER; AND

19 (IV) SECRETARY.

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

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

23 **§ 7-7. ANNUAL FINANCIAL PLAN.**

24 (A) *BOARD TO ADOPT.*

25 THE BOARD SHALL ADOPT AN ANNUAL FINANCIAL PLAN (THE "FINANCIAL PLAN"), BASED
26 ON THE CITY'S FISCAL YEAR, CONSISTING OF:

27 (1) A PROPOSED SCHEDULE OF TAXES OR CHARGES TO BE IMPOSED THROUGHOUT THE
28 DISTRICT; AND

29 (2) A PROPOSED BUDGET.

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1 (B) *PUBLIC HEARING.*

2 (1) BEFORE ADOPTING THE FINANCIAL PLAN, THE BOARD SHALL ARRANGE FOR A PUBLIC
3 HEARING.

4 (2) NOTICE OF THE PUBLIC HEARING ON THE FINANCIAL PLAN:

5 (I) SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN
6 BALTIMORE CITY AT LEAST ONCE A WEEK FOR 3 CONSECUTIVE WEEKS; OR

7 (II) MAY BE GIVEN BY ALTERNATIVE MEANS IN THE EVENT THAT STATE LAW
8 PERMITS ALTERNATIVE METHODS OF PROVIDING PUBLIC NOTICE.

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

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

12 (D) *FIRST FINANCIAL PLAN.*

13 (1) THE FIRST FINANCIAL PLAN MAY BE FOR LESS THAN A FULL FISCAL YEAR.

14 (2) THE INITIAL FINANCIAL PLAN FOR THE AUTHORITY SHALL INCLUDE ALL OF THE FISCAL
15 YEAR ENDING ON JUNE 30, 2026, AND MAY INCLUDE THE COSTS OF PREPARING THE
16 FINANCIAL PLAN AND IMPLEMENTING THE AUTHORITY AND THE DISTRICT, SO LONG
17 AS SUCH COSTS WERE INCURRED DURING THAT FISCAL YEAR.

18 (3) IF THE AUTHORITY IS NOT IMPLEMENTED AS A RESULT OF THE OPERATION OF § 7-15 OF
19 THIS SUBTITLE, NEITHER THE AUTHORITY NOR THE DISTRICT, NOR THE CITY, SHALL
20 HAVE ANY LIABILITY FOR COSTS INCURRED PRIOR TO THE INITIATION OF OPERATIONS,
21 WHETHER OR NOT INCURRED BY THE ADMINISTRATOR OR ON BEHALF OF THE DISTRICT
22 OR THE AUTHORITY.

23 **§ 7-8. SUPPLEMENTAL TAX.**

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

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

29 (2) PROPERTIES SUBJECT TO THE TAX SHALL INCLUDE ALL PROPERTIES WITHIN THE
30 DISTRICT EXCEPT PROPERTIES EXEMPT UNDER CITY CHARTER ARTICLE II, § (63) OR
31 ANY OTHER APPLICABLE LAW.

32 (3) THE BOARD OF ESTIMATES SHALL DETERMINE WITH FINALITY THE ASSESSABLE BASE
33 UPON WHICH THE SUPPLEMENTAL TAX WILL BE BASED.

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

- 2 (1) FUNDING FOR AUTHORITY OPERATIONS SHALL BE PROVIDED BY A SUPPLEMENTAL
3 PROPERTY TAX (THE “SUPPLEMENTAL TAX”) ON THE ASSESSABLE BASE OF THE
4 DISTRICT AS DETERMINED UNDER SUBSECTION (A) OF THIS SECTION.
- 5 (2) THE SUPPLEMENTAL TAX SHALL BE ASSESSED AND COLLECTED IN CONJUNCTION WITH
6 THE PROPERTY TAXES ASSESSED AND COLLECTED BY THE CITY (THE “REGULAR TAX”),
7 UNLESS OTHERWISE ESTABLISHED BY THE BOARD OF ESTIMATES.
- 8 (3) ENFORCEMENT OF THE SUPPLEMENTAL TAX SHALL BE IN ACCORDANCE WITH THE
9 ENFORCEMENT OF THE REGULAR TAX, AND ALL PROVISIONS APPLICABLE TO THE
10 ASSESSMENTS, REFUNDS, CREDITS, COLLECTIONS, AND ENFORCEMENT WHICH APPLY
11 TO THE REGULAR TAX SHALL APPLY TO THE SUPPLEMENTAL TAX UNLESS MODIFIED
12 HEREIN.
- 13 (4) ENFORCEMENT OF THE SUPPLEMENTAL TAX AS PROVIDED UNDER PARAGRAPH (3) IS
14 MODIFIED FOR PROPERTIES RECEIVING THE HOMESTEAD TAX CREDIT AND THE
15 TARGETED HOMEOWNERS TAX CREDIT AS FOLLOWS:

16 (SUPPLEMENTAL TAX) × (ASSESSED PROPERTY VALUE - TARGETED HOMEOWNERS TAX CREDIT) = ASSESSMENT AMOUNT OWED
17

18 (C) *DETERMINATION OF TAX.*

19 THE SUPPLEMENTAL TAX RATE SHALL BE DETERMINED AS FOLLOWS:

- 20 (1) ANY INCREASE IN THE RATE OF THE SUPPLEMENTAL TAX MUST BE APPROVED BY A
21 MAJORITY OF THE VOTING BOARD MEMBERS;
- 22 (2) FOR THE FIRST BUDGET YEAR, THE RATE OF THE SUPPLEMENTAL TAX SHALL BE SET
23 TO RAISE REVENUES EQUAL TO THE COSTS OF THE FINANCIAL PLAN BUT SHALL
24 NOT EXCEED A FULL YEAR RATE OF 30¢ PER \$100 OF ASSESSED VALUE;
- 25 (3) FOR THE FIRST FULL BUDGET YEAR, THE RATE OF THE SUPPLEMENTAL TAX SHALL
26 BE SET TO RAISE REVENUES EQUAL TO THE COSTS OF THE FINANCIAL PLAN BUT
27 SHALL NOT EXCEED 30¢ PER \$100 OF ASSESSED VALUE, EXCEPT THAT THE RATE
28 MAY BE ADJUSTED TO PRODUCE REVENUE EQUIVALENT TO THE FULL YEAR 30¢
29 YIELD OF THE FIRST BUDGET YEAR; AND
- 30 (4) FOR ANY YEAR AFTER THE FIRST FULL BUDGET YEAR, THE RATE OF THE
31 SUPPLEMENTAL TAX MAY BE ADJUSTED TO YIELD REVENUES WHICH ARE NO MORE
32 THAN 10% GREATER THAN IN THE PRIOR YEAR UNLESS THE INCREASE IS APPROVED
33 BY 80% OR MORE OF THE VOTING BOARD MEMBERS.

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

2 EXEMPT FROM THE PROVISIONS OF THIS SUBTITLE RELATING TO A SUPPLEMENTAL ANNUAL
3 PROPERTY TAX ARE THE POLES, CONDUITS, TUNNELS, PIPE LINES, MANHOLES, AND OTHER
4 SIMILAR SURFACE OR SUBSURFACE STRUCTURES, INCLUDING THEIR EQUIPMENT, OWNED
5 AND CONTROLLED BY A PUBLIC SERVICE CORPORATION, LOCATED ON, OVER, OR UNDER
6 STREETS, ALLEYS, OR OTHER PUBLIC WAYS OR LANDS, THE CONSTRUCTION OF WHICH IS
7 AUTHORIZED BY THE CITY, AND THE INSTALLATION OF WHICH IS REGULATED AND
8 SUPERVISED BY THE DEPARTMENT OF TRANSPORTATION.

9 **§ 7-9. OTHER CHARGES.**

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

11 (1) AN OWNER OF A PROPERTY WITHIN THE DISTRICT SUBJECT TO THE SUPPLEMENTAL
12 TAX SHALL NOT BE REQUIRED TO PAY ANY OTHER CHARGES OR FEES FOR SERVICES
13 GENERALLY PROVIDED WITHIN THE DISTRICT BY THE AUTHORITY.

14 (2) THE AUTHORITY MAY IMPOSE CHARGES AND FEES FOR ANY SPECIAL SERVICES
15 REQUESTED BY AND PERFORMED FOR 1 OR MORE OWNERS OF A PROPERTY WITHIN THE
16 DISTRICT.

17 (B) *OTHERS.*

18 THE BOARD, WITH THE APPROVAL OF THE BOARD OF ESTIMATES, MAY ESTABLISH OTHER
19 FEES AND CHARGES FOR SPECIFIC SERVICES PERFORMED WITHIN THE DISTRICT, WITHIN
20 AREAS ADJOINING THE DISTRICT, FOR PROPERTIES AND PROPERTY OWNERS NOT SUBJECT
21 TO THE SUPPLEMENTAL TAX AND IN CONJUNCTION WITH PARTNERSHIPS ENCOURAGED BY
22 THIS SUBTITLE.

23 **§ 7-10. BASELINE CITY SERVICES.**

24 (A) *AGREEMENT TO MAINTAIN.*

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

29 (B) *SCOPE OF AGREEMENT.*

30 THIS MEMORANDUM SHALL:

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

32 (2) COMMIT THE CITY TO THE MAINTENANCE OF SUCH LEVELS OF SERVICE; AND

33 (3) OUTLINE THE FURTHER UNDERTAKINGS OF THE CITY IN RESPONSE TO THE
34 INITIATIVE REPRESENTED BY THE CREATION OF THE DISTRICT (THE "BASELINE
35 PLUS").

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1 (C) *GOVERNING PRINCIPLES.*

2 THE MAINTENANCE OF EXISTING SERVICES SHALL BE GOVERNED BY THE 2 PRINCIPLES
3 LISTED IN THIS SUBSECTION (C).

4 (1) NO DECREASE IN SUCH SERVICES SHALL OCCUR EXCEPT AS PART OF AN OVERALL
5 DECREASE IN SERVICES NECESSITATED BY CHANGES IN FUNDING, POLICY, OR
6 RESOURCES, AND THEN ONLY IN PROPORTION TO THE DECREASES IMPLEMENTED
7 ELSEWHERE IN THE CITY.

8 (2) ANY INCREASE IN SUCH SERVICES GENERALLY THROUGHOUT THE CITY SHALL BE
9 MATCHED WITH INCREASES IN SUCH SERVICES WITHIN THE DISTRICT, IN
10 PROPORTION TO THE INCREASES IMPLEMENTED ELSEWHERE IN THE CITY.

11 **§ 7-11. PARTNERSHIPS.**

12 (A) *AUTHORITY ENCOURAGED TO CREATE.*

13 THE AUTHORITY IS AUTHORIZED AND ENCOURAGED TO ENTER INTO PARTNERSHIPS WITH
14 THE PROPERTY OWNERS AND USERS WITHIN THE DISTRICT AND ADJOINING AREAS THAT
15 ARE NOT SUBJECT TO THE SUPPLEMENTAL TAX (“EXEMPT PARTNERS”) FOR THE PURPOSE
16 OF FURTHERING THE BROAD OBJECTIVES OF IMPROVING AND ENHANCING PUBLIC SERVICES
17 THROUGHOUT THE DISTRICT.

18 (B) *SPECIFIC POWERS.*

19 IN FURTHERANCE OF THAT OBJECTIVE, THE AUTHORITY MAY:

20 (1) CONTRACT TO PROVIDE VARYING LEVELS OF SERVICES TO AREAS ADJOINING THE
21 DISTRICT;

22 (2) AGREE TO ACCEPT DONATIONS, CONTRIBUTIONS, AND VOLUNTARY PAYMENTS OF
23 ANY KIND FROM EXEMPT PARTNERS (COLLECTIVELY, “VOLUNTARY PAYMENTS”),
24 WITH OR WITHOUT AGREEMENTS REGARDING SPECIFIC SERVICES AND FUNCTIONS;

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

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

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1 **§ 7-12. COLLECTION AND DISBURSEMENT.**

2 (A) *IN GENERAL.*

3 THE AUTHORITY SHALL ESTABLISH WITH THE APPROPRIATE CITY AGENCIES THE METHODS
4 BY WHICH THE SUPPLEMENTAL TAX IS TO BE ASSESSED, COLLECTED, AND DISBURSED TO
5 THE AUTHORITY.

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

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

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

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

11 (3) SHALL BE DISBURSED PROMPTLY UPON COLLECTION.

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

13 AS PART OF THE CITY'S CONTRIBUTION TO THE DISTRICT, SUCH COLLECTION,
14 ASSESSMENT, DISBURSEMENT, RECORD-KEEPING, AND ENFORCEMENT SHALL NOT BE A
15 CHARGE TO OR AGAINST THE AUTHORITY OR THE DISTRICT BUT SHALL BE AN ELEMENT OF
16 THE BASELINE PLUS.

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

18 (1) THE DEPARTMENT OF FINANCE OF THE CITY MAY COLLECT THE SUPPLEMENTAL TAX
19 AND OTHER CHARGES AS APPROVED BY THE BOARD OF ESTIMATES.

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

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

25 (E) *PENALTIES AND INTEREST.*

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

28 (F) *LIEN ON PROPERTY.*

29 (1) THE AMOUNT OF ANY OUTSTANDING ASSESSMENT ON ANY PROPERTY, AND ACCRUED
30 INTEREST, AND OTHER CHARGES SHALL CONSTITUTE A LIEN ON THE PROPERTY.

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1 (2) THE LIEN:

2 (I) SHALL TAKE PRECEDENCE OVER ALL OTHER LIENS, WHETHER CREATED BEFORE
3 OR AFTER THE ASSESSMENT, COMMENSURATE WITH A LIEN FOR STATE AND
4 COUNTY TAXES, GENERAL MUNICIPAL TAXES, AND PRIOR IMPROVEMENT
5 ASSESSMENTS; AND

6 (II) MAY NOT BE DEFEATED OR POSTPONED BY:

7 (A) ANY PRIVATE OR JUDICIAL SALE;

8 (B) ANY MORTGAGE; OR

9 (C) ANY ERROR OR MISTAKE IN THE DESCRIPTION OF THE PROPERTY OR IN
10 THE NAMES OF THE OWNERS.

11 (3) NO ERROR IN THE PROCEEDINGS OF THE CITY OR THE BOARD OF THE AUTHORITY
12 SHALL EXEMPT ANY PROPERTY FROM:

13 (I) THE LIEN;

14 (II) THE LIEN'S PAYMENT; OR

15 (III) THE PENALTIES OR INTEREST THEREON, AS HEREIN PROVIDED.

16 **§ 7-13. ADMINISTRATOR.**

17 (A) *POWERS.*

18 THE ADMINISTRATOR SHALL HAVE THE POWER TO:

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

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

23 (3) ESTABLISH PROCEDURES AND PROCESSES NECESSARY TO PERFORM THE FUNCTIONS
24 CALLED FOR UNDER THE FINANCIAL PLAN;

25 (4) BE RESPONSIBLE FOR THE DAY-TO-DAY OPERATIONS OF THE BOARD AND ITS
26 EMPLOYEES AND CONTRACTORS;

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

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1 (6) HIRE AND RETAIN SUCH EMPLOYEES, AGENTS, AND CONTRACTORS AS ARE NEEDED
2 TO PERFORM ITS FUNCTIONS FOR THE AUTHORITY, PROVIDED THAT ALL HIRING
3 AND CONTRACTING SHALL COMPLY WITH § 7-4 OF THIS SUBTITLE;

4 (7) BE THE DIRECT AGENT OF THE AUTHORITY, SO THAT ANY IMMUNITY AFFORDED TO
5 THE AUTHORITY AND ITS OFFICERS, EMPLOYEES, AND AGENTS, SHALL BE
6 AFFORDED AS WELL TO THE ADMINISTRATOR; AND

7 (8) HAVE FURTHER RIGHTS, POWERS, AND AUTHORITY AS GRANTED TO IT BY THE
8 BOARD.

9 (C) *LIMITATIONS.*

10 ANY LIMITATIONS ON THE POWERS AND AUTHORITY OF THE BOARD SHALL APPLY AS WELL
11 TO THE ADMINISTRATOR IN PERFORMING THE FUNCTIONS CHARGED TO THE
12 ADMINISTRATOR BY THIS SUBTITLE OR BY THE BOARD.

13 (D) *INITIAL ADMINISTRATOR.*

14 THE INITIAL ADMINISTRATOR OF THE AUTHORITY SHALL BE THE MIDTOWN SPECIAL
15 BENEFITS DISTRICT, INC., UNLESS OTHERWISE DETERMINED BY THE INTERIM BOARD.

16 **§ 7-14. OVERSIGHT BY BOARD OF ESTIMATES.**

17 (A) *IN GENERAL.*

18 WITH REGARD TO THE DISTRICT AND THE AUTHORITY THE BOARD OF ESTIMATES SHALL
19 HAVE THE FOLLOWING POWERS.

20 (B) *ESTABLISHMENT OF FULL BOARD.*

21 THE FULL BOARD PROPOSED BY THE INTERIM BOARD IN ACCORDANCE WITH § 7-6 OF THIS
22 SUBTITLE SHALL BE SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES.

23 (C) *FINANCIAL PLAN; RATES AND CHARGES.*

24 (1) THE FINANCIAL PLAN AND THE SCHEDULE OF RATES AND CHARGES SHALL BE SUBJECT
25 TO THE APPROVAL OF THE BOARD OF ESTIMATES.

26 (2) THE BOARD OF THE AUTHORITY SHALL SUBMIT THE FINANCIAL PLAN AND ANY
27 SUPPORTING MATERIALS TO THE BOARD OF ESTIMATES AND THE DEPARTMENT OF
28 FINANCE AT THE TIME SPECIFIED BY THE BOARD OF ESTIMATES AND BEFORE THE
29 PROPOSED EFFECTIVE DATE OF A FINANCIAL PLAN OR SUPPLEMENTAL TAX.

30 (3) IN CONSIDERING A FINANCIAL PLAN, THE BOARD OF ESTIMATES MAY NOT EXCEED OR
31 INCREASE THE SCHEDULE OF TAXES, RATES, AND CHARGES PROPOSED IN THE
32 FINANCIAL PLAN BEYOND THOSE PROPOSED BY THE AUTHORITY.

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1 (D) *BYLAWS.*

2 THE BOARD OF ESTIMATES SHALL REVIEW AND APPROVE THE INITIAL BYLAWS OF THE
3 AUTHORITY AND ANY PROPOSED AMENDMENTS THERETO.

4 (E) *APPROVAL AND RENEWAL PROCESS.*

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

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

8 (A) *LIST OF ELIGIBLE VOTERS.*

9 THE BOARD OF ESTIMATES, WITH THE ASSISTANCE OF THE INTERIM BOARD, THE
10 DEPARTMENT OF FINANCE, AND THE SUPERVISOR OF THE BOARD OF ELECTIONS, SHALL BE
11 RESPONSIBLE FOR COMPILING A LIST OF THOSE PERSONS ELIGIBLE TO VOTE ON THE
12 ESTABLISHMENT OF THE DISTRICT AND ON ANY QUESTION RELATING TO ITS RENEWAL.

13 (B) *ELIGIBILITY CRITERIA.*

14 THE FOLLOWING PERSONS ARE ELIGIBLE TO VOTE SUBJECT TO THE LIMITATIONS THAT NO
15 PERSON MAY HAVE MORE THAN 1 VOTE:

16 (1) OWNERS OF PROPERTY WITHIN THE DISTRICT WHICH IS SUBJECT TO TAX UNDER
17 § 7-8; AND

18 (2) VOTERS REGISTERED TO VOTE WITHIN THE DISTRICT.

19 (C) *ELECTION.*

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

22 (2) EACH BALLOT, WITH A SIGNATURE OF THE ELIGIBLE VOTER MUST BE RETURNED TO
23 THE BOARD OF ESTIMATES, CARE OF THE COMPTROLLER'S OFFICE.

24 (3) THE VOTING PERIOD SHALL BE ESTABLISHED BY THE BOARD OF ESTIMATES AND SHALL
25 BE AT LEAST 10 DAYS BUT NOT MORE THAN 30 DAYS FROM THE DATE BALLOTS ARE
26 PROVIDED TO ELIGIBLE VOTERS.

27 (D) *PERCENTAGE APPROVAL.*

28 (1) AT THE END OF THE ELECTION PERIOD, THE BOARD OF ESTIMATES SHALL DETERMINE
29 THE AGGREGATE VOTES CAST BY THE ELIGIBLE VOTERS.

30 (2) IF THE BOARD OF ESTIMATES DETERMINES THAT AT LEAST 58 PERCENT OF THE
31 AGGREGATE VOTES CAST IN THE ELECTION APPROVED THE ESTABLISHMENT OF THE
32 DISTRICT, THE BOARD OF ESTIMATES SHALL CERTIFY THE DISTRICT AND AUTHORITY
33 AS APPROVED FOR OPERATION.

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1 **§ 7-16. 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 BY
9 ORDINANCE 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 **§ 7-17. DISSOLUTION OF DISTRICT.**

14 (A) *DISSOLUTION ON CERTAIN EVENTS.*

15 IF THE DISTRICT IS NOT APPROVED AS PROVIDED IN § 7-15 {"ELECTION APPROVAL
16 PROCESS"} OF THIS SUBTITLE OR IS NOT RENEWED AS PROVIDED IN § 7-16 {"4-YEAR
17 REVIEWS"} OF THIS SUBTITLE, THE AUTHORITY SHALL CEASE ITS OPERATIONS AND THE
18 DISTRICT SHALL CEASE TO EXIST AT THE END OF THE CITY'S FISCAL YEAR IN WHICH THE
19 TERMINATING EVENT OCCURS.

20 (B) *LIMITED CONTINUATION.*

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

- 22 (1) TERMINATE OPERATIONS IN A REASONABLE FASHION; AND
23 (2) ARRANGE FOR THE REFUNDING OF ALL FUNDS NOT NEEDED TO SATISFY
24 OUTSTANDING OBLIGATIONS AND RESERVES FOR UNCERTAIN OBLIGATIONS AND
25 LIABILITIES.

26 (C) *UNSPENT FUNDS.*

27 ANY UNSPENT FUNDS SHALL REVERT BACK TO THE CITY'S GENERAL FUND.

28 **SECTION 3. AND BE IT FURTHER ORDAINED,** That it is the intent of the Mayor and City
29 Council to authorize the Department of Finance under § 7-12 {"Collection and disbursement"}
30 of this Ordinance to assess, collect, and disburse the Supplemental Tax and other charges as
31 approved by the Board of Estimates for the period covered by the first Financial Plan established
32 under § 7-7(d) {"Initial Financial Plan"} of this Ordinance.

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