

Introduced by: Councilmember Cohen
At the request of: Waterfront Partnership of Baltimore, Inc.
Address: 650 South Exeter Street #250, Baltimore, Maryland 21202
Telephone: 443-743-3308

Prepared by: Department of Legislative Reference **Date:** March 7, 2018

Referred to: **HOUSING AND URBAN AFFAIRS** Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 18-0201

A BILL ENTITLED

AN ORDINANCE concerning

Waterfront Management District – Exemption from Supplemental Tax

FOR the purpose of allowing the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District.

BY repealing and reordaining, with amendments

Article 14 - Special Benefits Districts
Section(s) 8-8(a)(2)
Baltimore City Code
(Edition 2000)



NO. _____

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

- Baltimore City Public School System
- Baltimore Development Corporation
- City Solicitor
- Comptroller's Office
- Department of Audits
- Department of Finance
- Department of General Services
- Department of Housing and Community Development
- Department of Human Resources
- Department of Planning
- Other: _____
- Other: _____
- Other: _____
- Department of Public Works
- Department of Real Estate
- Department of Recreation and Parks
- Department of Transportation
- Fire Department
- Health Department
- Mayor's Office of Employment Development
- Mayor's Office of Human Services
- Mayor's Office of Information Technology
- Office of the Mayor
- Police Department
- Other: _____
- Other: _____

Boards and Commissions

- Board of Estimates
- Board of Ethics
- Board of Municipal and Zoning Appeals
- Comm. for Historical and Architectural Preservation
- Commission on Sustainability
- Employees' Retirement System
- Other: _____
- Other: _____
- Other: _____
- Other: _____
- Environmental Control Board
- Fire & Police Employees' Retirement System
- Labor Commissioner
- Parking Authority Board
- Planning Commission
- Wage Commission
- Other: _____
- Other: _____
- Other: _____

CITY OF BALTIMORE
ORDINANCE **18-143**
Council Bill 18-0201

Introduced by: Councilmember Cohen
At the request of: Waterfront Partnership of Baltimore, Inc.
Address: 650 South Exeter Street #250, Baltimore, Maryland 21202
Telephone: 443-743-3308
Introduced and read first time: March 12, 2018
Assigned to: Housing and Urban Affairs Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: June 4, 2018

AN ORDINANCE CONCERNING

1 **Waterfront Management District – Exemption from Supplemental Tax**

2 FOR the purpose of ~~allowing the Waterfront Management Authority to exempt~~ exempting certain
3 mixed use properties from the Waterfront Management District supplemental tax; clarifying
4 and conforming related provisions; and generally relating to the Waterfront Management
5 District.

6 BY repealing and reordaining, with amendments

7 Article 14 - Special Benefits Districts
8 Section(s) 8-8(a)(2)
9 Baltimore City Code
10 (Edition 2000)

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

13 **Baltimore City Code**

14 **Article 14. Special Benefits Districts**

15 **Subtitle 8. Waterfront Management District**

16 **§ 8-8. Supplemental Tax.**

17 (a) *Board of Estimates to determine assessable base.*

18 (2) Properties subject to the tax shall include all properties within the District except:

19 (i) residential units in a condominium building, whether or not the units are
20 owner-occupied; [and]

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

Council Bill 18-0201

1 (ii) all other buildings used exclusively for residential purposes, other than a
2 building that contains 4 or more residential rental units; [and]

3 (iii) PROPERTIES CONTAINING 4 OR FEWER RESIDENTIAL UNITS, WITH A
4 NON-RESIDENTIAL USE ON THE GROUND OR FIRST LEVEL ONLY, ~~IF EXEMPTED BY~~
5 ~~THE AUTHORITY IN ACCORDANCE WITH GUIDELINES APPROVED BY THE~~
6 ~~AUTHORITY AND THE BOARD OF ESTIMATES~~ IF THE PROPERTY OWNER CAN
7 DOCUMENT, IN THE MANNER APPROVED BY THE BOARD OF ESTIMATES, THAT
8 THE OWNER:

9 (A) OPERATES THE NON-RESIDENTIAL USE; AND

10 (B) OCCUPIES A RESIDENTIAL PORTION OF THE PROPERTY AS THEIR
11 PRIMARY RESIDENCE; AND

12 (IV) properties OTHERWISE exempt under:

13 (A) this subtitle;

14 (B) City Charter Article II, § (63); or

15 (C) any other applicable law.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
17 are not law and may not be considered to have been enacted as a part of this or any prior
18 Ordinance.

19 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
20 after the date it is enacted.

Council Bill 18-0201

Certified as duly passed this _____ day of JUN 07 2018



President, Baltimore City Council


Certified as duly delivered to Her Honor, the Mayor,

this _____ day of JUN 07, 2018



Chief Clerk

Approved this 20 day of June, 2018



Mayor, Baltimore City

Approved For Form and Legal Sufficiency

This 17th Day of June 2018.



Chief Solicitor

1950-1951

1952-1953

1954-1955

1956-1957

1958-1959

1960-1961

1962-1963

1964-1965

1966-1967

1968-1969

1970-1971

1972-1973

1974-1975

1976-1977

1978-1979

1980-1981

1982-1983

1984-1985

1986-1987

1988-1989

1990-1991

1992-1993

1994-1995

1996-1997

1998-1999

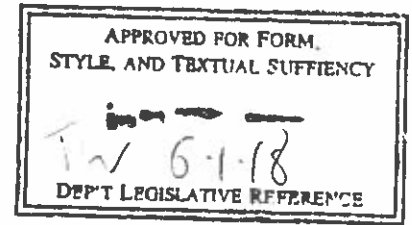
2000-2001

2002-2003

2004-2005

2006-2007

2008-2009



AMENDMENTS TO COUNCIL BILL 18-0201
(1st Reader Copy)

By: The Housing and Urban Affairs Committee
{To be offered on the Council Floor}

Amendment No. 1

ADOPTED

On page 1, in line 3, strike “allowing the Waterfront Management Authority to exempt” and substitute “exempting”; and, on that same page, in line 4, after “the” insert “Waterfront Management District”; and, on page 2, strike from “IF EXEMPTED” in line 4 through “ESTIMATES” in line 6 and substitute “IF THE PROPERTY OWNER CAN DOCUMENT, IN THE MANNER APPROVED BY THE BOARD OF ESTIMATES, THAT THE OWNER:

(A) OPERATES THE NON-RESIDENTIAL USE; AND

(B) OCCUPIES A RESIDENTIAL PORTION OF THE PROPERTY AS THEIR PRIMARY RESIDENCE”.

CITY OF BALTIMORE

BOARD OF ESTIMATES

Room 204, City Hall
Baltimore, Maryland 21202
410-396-4755



BERNARD C. "JACK" YOUNG
PRESIDENT, CITY COUNCIL

CATHERINE E. PUGH
MAYOR

JOAN M. PRATT
COMPTROLLER

RUDOLPH S. CHOW, P.E.
DIRECTOR OF PUBLIC WORKS

ANDRE M. DAVIS
CITY SOLICITOR

BERNICE H. TAYLOR
DEPUTY COMPTROLLER
AND CLERK TO THE BOARD

May 30, 2018

Honorable President and Members
of the City Council

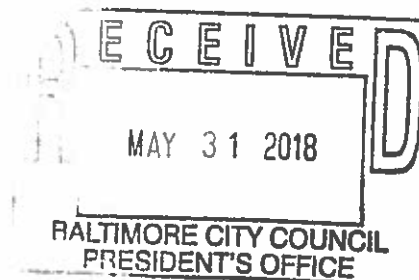
Ladies and Gentlemen:

On May 30, 2018 the Board had before it for consideration the following pending City Council Bills:

18-0193 - An Ordinance concerning Food Desert Incentive Areas - Expenditure Requirements for Tax Credit for the purpose of establishing a new minimum expenditure requirement for substantially renovated supermarkets that is lower than the expenditure requirement for newly constructed supermarkets; and generally relating to the qualifications for a tax credits granted to certain supermarkets in a Food Desert Incentive Area.

ALL REPORTS RECEIVED WERE FAVORABLE.

18-0201 - An Ordinance concerning Waterfront Management District - Exemption from Supplemental Tax for the purpose of allowing the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District.



CITY COUNCIL BILLS: - cont'd

The Waterfront Management District and Management Authority was created by Ordinance 07-0417, pursuant to authorization from the Maryland General Assembly that allowed the City to create community benefits districts. See 1994 Md. Laws ch. 732, codified in City Charter, Art. II, §63 City Code. The law enacted to create the district is codified in Art. 14, Subtitle 8 of the Baltimore City Code. Sec. 8-8 provides for certain exemptions from the supplemental tax established by the law. This bill would create an additional exemption for properties containing 4 or fewer units, with a nonresidential use on the ground or first level only, if exempted by the Authority in accordance with guidelines approved by the Authority and the Board of Estimates.

After reviewing the authorizing provisions and the Code provisions, the Law Department has determined that this proposed exemption unlawfully delegates legislative authority to another body. By allowing the Authority and the Board of Estimates to decide which properties will be exempted, without providing sufficient standards to guide the discretion of those bodies, the bill unlawfully delegates legislative authority given to the City Council in Art. II, Sec. 63. "The rule is plain and well established that legislative or discretionary powers or trusts devolved by law or Charter in a council or governing body cannot be delegated to others, but ministerial or administrative functions may be delegated to subordinate officials." City of Baltimore v. Wollman, 123 Md. 310, 315, 91 A. 339 (1914).

Law Department Amendment

On page 2, strike lines 3-6 and substitute:

(iii) Properties containing 4 or fewer residential units, with a non-residential use on the ground or first level only, provided that the non-residential use is operated by the owner of the property who also occupies the residential part of the property or

BALTIMORE CITY COUNCIL
Housing And Urban Affairs Committee
VOTING RECORD

DATE: 5-15-18

BILL#CC: 18- 0201 BILL TITLE: Ordinance – Waterfront Management
 District – Exemption from Supplemental Tax

MOTION BY: Whon SECONDED BY: Henry

FAVORABLE

FAVORABLE WITH AMENDMENTS

UNFAVORABLE

WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Bullock, J. Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schleifer, I. Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Burnett, K.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry, B.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed ,S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cohen, Z	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	11	0	0	0

CHAIRPERSON: [Signature]

COMMITTEE STAFF: Richard G. Krummerich, Initials: RK

The Baltimore City Department of
HOUSING & COMMUNITY
DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner

Date: May 14, 2018

Re: **City Council Bill 18-0201 - Waterfront Management District – Exemption from Supplemental Tax**

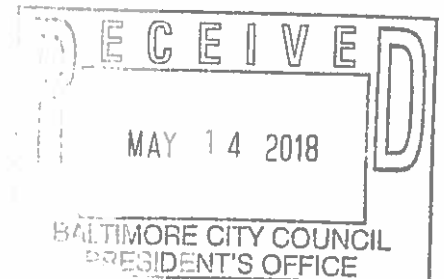
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0201, for the purpose of allowing the Waterfront Management Authority to exempt certain mixed-use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District.

If enacted, this bill would exempt small residential owner occupied properties that have a ground-floor retail storefront to be exempt from paying the supplemental tax in the Waterfront Management District.

The Department of Housing and Community Development supports the passage of City Council Bill 18-0201.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



F

CITY OF BALTIMORE

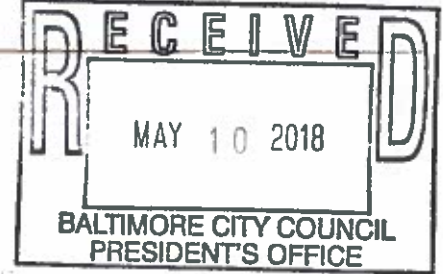
CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor
101 City Hall
Baltimore, Maryland 21202

May 9, 2018



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

Favorable with Amendments

Re: City Council Bill 18-0201 – Waterfront Management District – Exemption
from Supplemental Tax

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0201 for form and legal sufficiency. The bill would allow the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax.

The Waterfront Management District and Management Authority was created by Ordinance 07-0417 pursuant to authorization from the Maryland General Assembly that allowed the City to create community benefits districts. See 1994 Md. Laws ch. 732, codified in City Charter, Art. II, §63 City Code. The law enacted to create the district is codified in Art. 14, Subtitle 8 of the Baltimore City Code. Sec. 8-8 provides for certain exemptions from the supplemental tax established by the law. This bill would create an additional exemption for properties containing 4 or fewer units, with a nonresidential use on the ground or first level only, if exempted by the Authority in accordance with guidelines approved by the Authority and the Board of Estimates.

After reviewing the authorizing provisions and the Code provisions, the Law Department has determined that this proposed exemption unlawfully delegates legislative authority to another body. By allowing the Authority and the Board of Estimates to decide which properties will be exempted, without providing sufficient standards to guide the discretion of those bodies, the bill unlawfully delegates legislative authority given to the City Council in Art. II, Sec. 63. "The rule is plain and well established that legislative or discretionary powers or trusts devolved by law or charter in a council or governing body cannot be delegated to others, but ministerial or administrative functions may be delegated to subordinate officials." *City of Baltimore v. Wollman*, 123 Md. 310, 315, 91 A. 339 (1914).

In order to remedy this problem, the Law Department proposes the following amendment:

On page 2, strike lines 3-6 and substitute:

(iii) PROPERTIES CONTAINING 4 OR FEWER RESIDENTIAL UNITS, WITH A NON-RESIDENTIAL USE ON THE GROUND OR FIRST LEVEL ONLY, PROVIDED THAT THE NON-RESIDENTIAL USE IS OPERATED BY THE OWNER OF THE PROPERTY WHO ALSO OCCUPIES THE RESIDENTIAL PART OF THE PROPERTY OR A UNIT THEREIN AS THEIR PRIMARY RESIDENCE. THE AUTHORITY WITH THE APPROVAL OF THE BOARD ESTIMATES SHALL ADOPT REGULATIONS SETTING FORTH THE DOCUMENTATION NEEDED TO PROVE PRIMARY RESIDENCY ON THE PROPERTY AND OWNERSHIP OF THE BUSINESS ESTABLISHMENT ON THE PROPERTY.

Provided the bill is amended as noted above, the Law Department can approve it for form and legal sufficiency.

Sincerely yours,

Elena R. DiPietro

Elena R. DiPietro
Chief Solicitor


cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, MOGR
Kyron Banks, Mayor's Legislative Liaison
Kara Kunst, Legislative Director, City Council President
Hilary Ruley, Chief Solicitor
Victor Tervalo, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Avery Aisenstark, DLR

LAW DEPARTMENT AMENDMENTS
CITY COUNCIL BILL 18-0201

On page 2, strike lines 3-6 and substitute:

(iii) PROPERTIES CONTAINING 4 OR FEWER RESIDENTIAL UNITS, WITH A NON-RESIDENTIAL USE ON THE GROUND OR FIRST LEVEL ONLY, PROVIDED THAT THE NON-RESIDENTIAL USE IS OPERATED BY THE OWNER OF THE PROPERTY WHO ALSO OCCUPIES THE RESIDENTIAL PART OF THE PROPERTY OR A UNIT THEREIN AS THEIR PRIMARY RESIDENCE. THE AUTHORITY WITH THE APPROVAL OF THE BOARD ESTIMATES SHALL ADOPT REGULATIONS SETTING FORTH THE DOCUMENTATION NEEDED TO PROVE PRIMARY RESIDENCY ON THE PROPERTY AND OWNERSHIP OF THE BUSINESS ESTABLISHMENT ON THE PROPERTY.

TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0201 / WATERFRONT MANAGEMENT DISTRICT - EXEMPTION FROM SUPPLEMENTAL TAX		

DATE:

TO The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

March 27, 2018

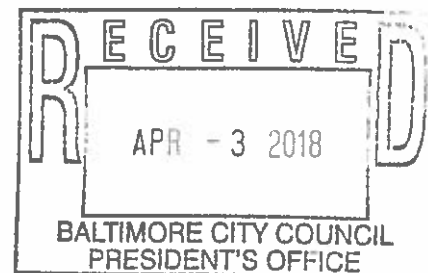
The Department of Planning is in receipt of City Council Bill #18-0201, which is for the purpose of allowing the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District..

The Department of Planning has no objection to City Council Bill #18-0201, and defers to the Baltimore Development Corporation, as the more directly impacted agency.


If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

TJS/ewt

- cc: Mr. Pete Hammen, Chief Operating Officer
 Mr. Jim Smith, Chief of Strategic Alliances
 Ms. Karen Stokes, Mayor's Office
 Mr. Colin Tarbert, Mayor's Office
 Mr. Kyron Banks, Mayor's Office
 The Honorable Edward Reisinger, Council Rep. to Planning Commission
 Mr. William H. Cole IV, BDC
 Mr. Dan Taylor, BDC
 Mr. Derek Baumgardner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Ms. Sharon Daboin, DHCD
 Ms. Elena DiPietro, Law Dept.
 Mr. Francis Burnszynski, PABC
 Ms. Katelyn McCauley, DOT
 Ms. Natawna Austin, Council Services



No obj, Defers to BDC

FROM	NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 18-0201		

DATE: March 28, 2018

TO

The Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin
Room 400 – City Hall

I am herein reporting on City Council Bill 18-0201, introduced by Councilman Cohen at the request of the Waterfront Partnership of Baltimore, Inc.

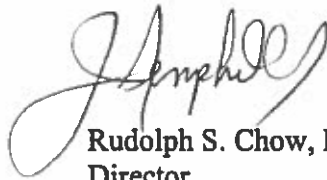
The purpose of this bill is to allow the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax and to clarify and conform related provisions.

Ordinance 07-417 authorized the creation of the Waterfront Management District and the Waterfront Management Authority, which includes parts of the Inner Harbor, Harbor East, and Fells Point, with the district running along the waterfront to a few blocks north. The Waterfront Partnership of Baltimore, Inc. administers the Authority, helping to keep the Inner Harbor an attractive and welcoming environment for those visiting, working, and living in the area. The Department of Public Works works closely with the Waterfront Management District and Authority, providing baseline services and participating in a collaborative approach to keep the harbor area clean and inviting.

The Waterfront Management District is a Special Benefits District, in which property owners within the defined area agree to impose additional taxes and charges on themselves in order to provide enhanced and supplemental public services. In the Waterfront Management District, certain residential properties are exempt from this tax. City Council Bill 18-0201, if approved, would add properties containing 4 or fewer residential units and a non-residential use on the ground level only to the list of properties exempt from the tax.

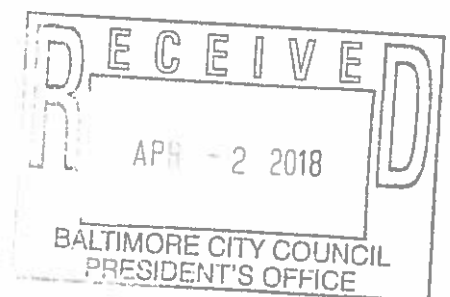
Based on these findings, the Department of Public Works has no objection to City Council Bill 18-0201.

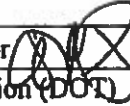

Sincerely,

 For R. Chow
Rudolph S. Chow, P.E.
Director

RSC/KTO

No objection



F R O M	NAME & TITLE	Michelle Pourciau, Director 	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 18-0201		

TO Mayor Catherine E. Pugh

DATE: March 26, 2018

TO: Respective City Housing and Urban Affairs Committee

FROM: Department of Transportation

POSITION: Support

RE: City Council Bill 18-0201 - Waterfront Management District – Exemption from Supplemental Tax

INTRODUCTION – For the purpose of allowing the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District.

PURPOSE/PLANS – The intent of this bill is to allow Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax relating to the Waterfront Management District. It does so by repealing and reordaining, with amendments Article 14 - Special Benefits Districts, Section(s) 8-8(a)(2), Baltimore City Code, (Edition 2000) which will add the following additional text:

(iii) PROPERTIES CONTAINING 4 OR FEWER RESIDENTIAL UNITS, WITH A NON-RESIDENTIAL USE ON THE GROUND OR FIRST LEVEL ONLY, IF EXEMPTED BY THE AUTHORITY IN ACCORDANCE WITH GUIDELINES APPROVED BY THE AUTHORITY AND THE BOARD OF ESTIMATES; AND

(iv) properties OTHERWISE exempt under:

- (A) this subtitle;
- (B) City Charter Article II, § (63); or
- (C) any other applicable law.

BRIEF HISTORY – The Baltimore Waterfront Partnership was established in 2005 to bring attention to the Inner Harbor. Then Mayor, Martin O’Malley established a panel to make recommendations on how the Harbor could be better managed. The Panel suggested that a bid be created similar to Downtown Partnership of Baltimore, thus the non-profit “Waterfront Partnership” was born. Waterfront Partnership worked tirelessly for two years to form the Waterfront Management Authority (WMA).

The Waterfront Partnership District includes the Harbor East and Fells Point neighborhoods. The Inner Harbor area is bounded approximately by Eastern Avenue to the north, Caroline Street to the east, Aliceanna and Sleet Street to the south, and President Streets to the west. The Fells Point extension area is bound by Lancaster Street to the north, the alley between Caroline and Bond Streets to the east, and Thames Street to the south, and Caroline Street to the west.

The sites within the Waterfront Partnership District are generally used for commercial and mixed use establishments.

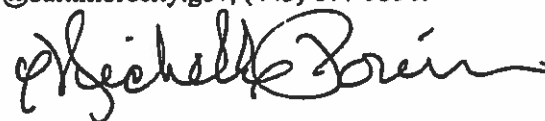
FISCAL IMPACT – Not available at this time.

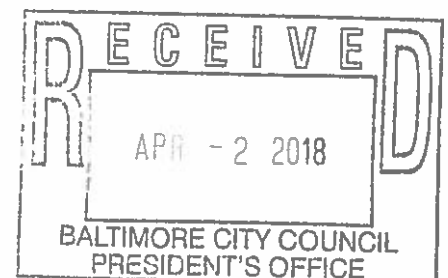
AGENCY/DEPARTMENT POSITION –

The Department of Transportation respectfully supports City Council Bill 18-0201.

If you have any questions, please do not hesitate to contact Katelyn McCauley at Katelyn.McCauley@baltimorecity.gov, (443) 677-9391.

Sincerely,

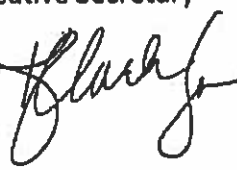






MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna B. Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: March 27, 2018

SUBJECT: City Council Bill No. 18-0201
Waterfront Management District – Exemption from Supplemental Tax

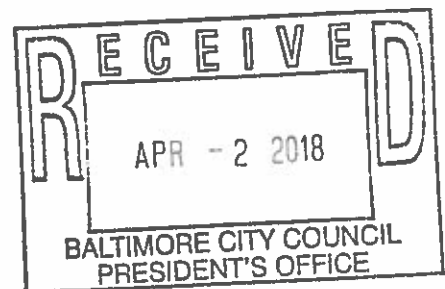
The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0201 for the purpose of allowing the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax relating to the Waterfront Management District.

In 2017, the Waterfront Management District was expanded to include the Fells Point District. As part of the consensus building process preceding this expansion, the Waterfront Partnership agreed to exempt small residential properties that have a ground-floor retail storefront, where the property owner resides in the property. This Bill formalizes the exemption for this property type, which the Waterfront Partnership expects will apply to approximately five (5) properties in the Waterfront Management District.

BDC supports Bill No. 18-0201 and respectfully requests that favorable consideration is given by the City Council.

cc: Kyron Banks

F



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Housing and Urban Affairs Committee

Tuesday, May 15, 2018

2:00 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0201

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 7 - Member John T. Bullock, Member Isaac "Yitzy" Schleifer, Member Kristerfer Burnett, Member Bill Henry, Member Shannon Sneed, Member Zeke Cohen, and Member Ryan Dorsey

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0201

Waterfront Management District - Exemption from Supplemental Tax

For the purpose of allowing the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District.

Sponsors: Zeke Cohen

A motion was made by Member Cohen, seconded by Member Henry, that this Ordinance be Recommended Favorably with Amendment . The motion carried by the following vote:

Yes: 7 - Member Bullock, Member "Yitzy" Schleifer, Member Burnett, Member Henry, Member Sneed, Member Cohen, and Member Dorsey

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



HEARING NOTES

Bill: CC 18-0201

Ordinance -Waterfront Management District – Exemption from Supplemental Tax

Committee: Housing and Urban Affairs
Chaired By: Councilmember John Bullock

Hearing Date: May 15, 2018
Time (Beginning): 2:02 PM
Time (Ending): 2:05 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: 23
Committee Members in Attendance:
John Bullock Zeke Cohen
Isaac "Yitzy" Schleifer Ryan Dorsey
Kristerfer Burnett
Bill Henry
Sharon Sneed

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Certification of advertising/posting notices in the file?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Cohen		
Seconded by:	Councilmember Henry		
Final Vote:	Fav. with Amendments		

Major Speakers

(This is not an attendance record.)

- Laurie Schwartz - Waterfront Management
- Hilary Ruley - Law Department
-

Major Issues Discussed

1. Chair Bullock convened the Hearing and welcomed the assembled guests.
2. Laurie Schwartz testified that this Bill will exempt small property owners in the Inner-harbor from supplemental taxes.
3. Hilary Ruley of the Law Department said the Bill had legal problems and suggested Amendment Language which was adopted.
4. The Bill passed on a 7-0 Vote.

Further Study

Was further study requested? Yes No

If yes, describe.

Committee Vote:

- J. Bullock:..... Yea
- I. Schleifer: Yea
- K. Burnett: Yea
- B. Henry: Yea
- S. Sneed: Yea
- Z. Cohen: Yea
- R. Dorsey: Yea
- :.....
- :.....
- :.....
- :.....
- :.....
- :.....
- :.....
- :.....
- :.....
- :.....
- :.....

Richard G. Krummerich, Committee Staff

Date: May 16, 2018

cc: Bill File
OCS Chrono File

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Housing and Urban Affairs Committee

Tuesday, May 15, 2018

2:00 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0201

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0201

Waterfront Management District - Exemption from Supplemental Tax
For the purpose of allowing the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District.

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

CATHERINE F. PUGLI, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Housing and Urban Affairs

Bill CC 18- 0201

Ordinance – Waterfront Management District – Exemption from Supplemental Tax

*Sponsor: Councilmember Cohen **

Introduced: March 12, 2018

Purpose:

For the purpose of allowing the Waterfront management authority to exempt certain mixed use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District.

Effective: 30 days after enactment

Hearing Date/Time/Location: May 15, 2018 at 2:00 PM in the Council Chambers

Agency Reports

Planning Commission	No Objection
Baltimore Development Corporation	Favorable
Department of Housing and Community Development	
Department of Public Works	No Objection
Department of Transportation	Favorable
Department of Law	Favorable/Amended
Board of Estimates	

Analysis

Current Law

The Waterfront Management District was created by Ordinance 417 in 2007

Background

The Waterfront Management District is located near downtown Baltimore. The Boundaries are generally Pratt Street on the North, Key Highway on the South, Light Street on the West, and President Street on the East. The Area contains most of what is commonly referred to as the Inner Harbor.

Residents and Businesses in the district pay a supplemental Tax which provides extra safety and sanitation services.

Small property owners have complained that the tax creates an excessive burden on them.

CC 18-201 allows the District's Management Authority to exempt properties with for of fewer units from the tax.

Additional Information

Fiscal Note: Not Available

Information Source(s): Bill File

Analysis by: Richard G. Krummerich *RK* Direct Inquiries to: 410-396-1266
Analysis Date: 5-11-18

**CITY OF BALTIMORE
COUNCIL BILL 18-0201
(First Reader)**

Introduced by: Councilmember Cohen

At the request of: Waterfront Partnership of Baltimore, Inc.

Address: 650 South Exeter Street #250, Baltimore, Maryland 21202

Telephone: 443-743-3308

Introduced and read first time: March 12, 2018

Assigned to: Housing and Urban Affairs Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Waterfront Management District – Exemption from Supplemental Tax**

3 FOR the purpose of allowing the Waterfront Management Authority to exempt certain mixed use
4 properties from the supplemental tax; clarifying and conforming related provisions; and
5 generally relating to the Waterfront Management District.

6 BY repealing and reordaining, with amendments

7 Article 14 - Special Benefits Districts

8 Section(s) 8-8(a)(2)

9 Baltimore City Code

10 (Edition 2000)

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

13 **Baltimore City Code**

14 **Article 14. Special Benefits Districts**

15 **Subtitle 8. Waterfront Management District**

16 **§ 8-8. Supplemental Tax.**

17 (a) *Board of Estimates to determine assessable base.*

18 (2) Properties subject to the tax shall include all properties within the District except:

19 (i) residential units in a condominium building, whether or not the units are
20 owner-occupied; [and]

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

Council Bill 18-0201

1 (ii) all other buildings used exclusively for residential purposes, other than a
2 building that contains 4 or more residential rental units; [and]

3 (iii) PROPERTIES CONTAINING 4 OR FEWER RESIDENTIAL UNITS, WITH A
4 NON-RESIDENTIAL USE ON THE GROUND OR FIRST LEVEL ONLY, IF EXEMPTED BY
5 THE AUTHORITY IN ACCORDANCE WITH GUIDELINES APPROVED BY THE
6 AUTHORITY AND THE BOARD OF ESTIMATES; AND

7 (IV) properties OTHERWISE exempt under:

8 (A) this subtitle;

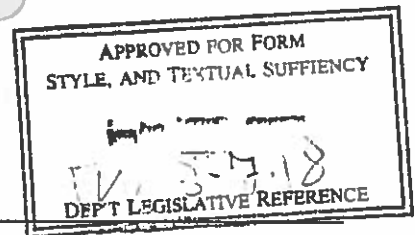
9 (B) City Charter Article II, § (63); or

10 (C) any other applicable law.

11 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
12 are not law and may not be considered to have been enacted as a part of this or any prior
13 Ordinance.

14 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
15 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Cohen
At the request of: Waterfront Partnership of Baltimore, Inc.
Address: 650 South Exeter Street #250, Baltimore, Maryland 21202
Telephone: 443-743-3308

A BILL ENTITLED

AN ORDINANCE concerning

Waterfront Management District – Exemption from Supplemental Tax

FOR the purpose of allowing the Waterfront Management Authority to exempt certain mixed use properties from the supplemental tax; clarifying and conforming related provisions; and generally relating to the Waterfront Management District.

BY repealing and reordaining, with amendments

Article 14 - Special Benefits Districts
Section(s) 8-8(a)(2)
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 14. Special Benefits Districts

Subtitle 8. Waterfront Management District

§ 8-8. Supplemental Tax.

(a) *Board of Estimates to determine assessable base.*

(2) Properties subject to the tax shall include all properties within the District except:

- (i) residential units in a condominium building, whether or not the units are owner-occupied; [and]
- (ii) all other buildings used exclusively for residential purposes, other than a building that contains 4 or more residential rental units; [and]

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

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

(iii) PROPERTIES CONTAINING 4 OR FEWER RESIDENTIAL UNITS , WITH A NON-RESIDENTIAL USE ON THE GROUND OR FIRST LEVEL ONLY , IF EXEMPTED BY THE AUTHORITY IN ACCORDANCE WITH GUIDELINES APPROVED BY THE AUTHORITY AND THE BOARD OF ESTIMATES; AND

(IV) properties OTHERWISE exempt under:

(A) this subtitle;

(B) City Charter Article II, § (63); or

(C) any other applicable law.

SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.



ACTION BY THE CITY COUNCIL

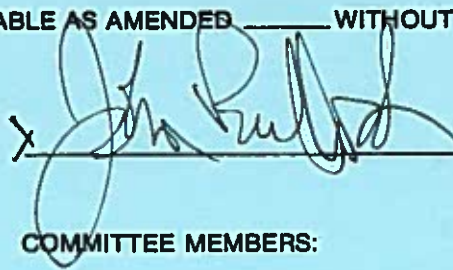
MAR 12 2018
20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON 5-15 _____ 2018

COMMITTEE REPORT AS OF 6-4 _____ 2018

____ FAVORABLE ____ UNFAVORABLE FAVORABLE AS AMENDED ____ WITHOUT RECOMMENDATION


Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

JUN 04 2018
20

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ JUN 07 2018
20

____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

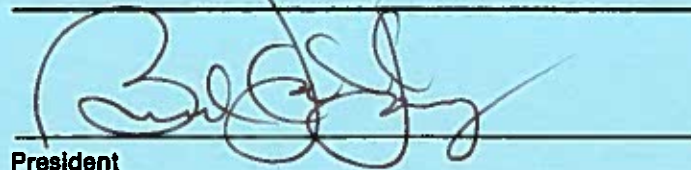
THIRD READING (ENROLLED) _____ 20 _____

____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.


President

Chief Clerk