

CITY OF BALTIMORE

BOARD OF ESTIMATES

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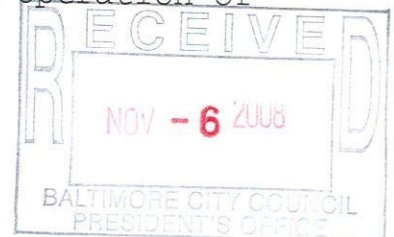
November 5, 2008

Honorable President and Members  
of the City Council

Ladies and Gentlemen:

On November 5, 2008 the Board had before it for consideration the following Pending City Council Bills:

- 08-0148 - Sale of Property - 121 North Greene Street for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 121 North Greene Street (Block 617, Lot 15) and no longer needed for public use; and providing for a special effective date.
- 08-0149 - Sale of Property - 101 South Ellwood Avenue for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 101 South Ellwood Avenue (Block 1752, Lot 1/54) and no longer needed for public use; and providing for a special effective date.
- 08-0160 - Westport Waterfront Development District for the purpose of designating a "development district" to be known as the "Westport Waterfront Development District"; providing for and determining various matters in connection with the establishment of the development district; creating a special, tax increment fund for the development district; allocating certain property taxes to that fund; making certain findings and determinations; providing for a special effective date; and generally providing for matters relating to the designation and operation of



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the development district and the establishment and use of the special, tax increment fund to provide for the payment by or reimbursement to the City for debt service which the City is obligated to pay or has paid (whether such obligation is general or limited) on any special obligation bonds or notes issued by the City or any "state obligations" issued in connection with the development district, the replenishment of any reserve fund, and the payment of certain expenses and administrative costs related to the operation of the development district.

THE LAW DEPARTMENT PROPOSED ONE AMENDMENT TO THE BILL TO MAKE IT CONSISTENT WITH THE REQUIREMENTS OF ART. II, SEC. 62 (C)(9) OF THE BALTIMORE CITY CHARTER. THAT SECTION REQUIRES PROCEEDS FROM BONDS MAY ONLY BE APPLIED FOR STRUCTURES OR SURFACE PARKING FACILITIES THAT ARE PUBLICLY OWNED OR PRIVATELY OWNED BUT SERVE A PUBLIC PURPOSE. THE LAW DEPARTMENT, THEREFORE, RECOMMENDS THAT THE BILL BE AMENDED TO INCLUDE THIS LIMITING LANGUAGE AFTER THE WORD "PARKING FACILITIES" IN THAT SECTION. ON PAGE 4, SECTION 1 (M)(5), LINE 5, DELETE "PARKING FACILITIES" AND INSERT "STRUCTURED OR SURFACE PARKING FACILITIES THAT ARE EITHER PUBLICLY OWNED OR SERVING A PUBLIC PURPOSE".

08-0161 - Westport Waterfront Special Taxing District for the purpose of designating a "special taxing district" to be known as the "Westport Waterfront Special Taxing District"; providing for and determining various matters in connection with the establishment of the special taxing district; creating a special fund for the special taxing district; providing for the levy of a special tax on all taxable real and personal property located in the special taxing district; providing for a special effective date; and generally providing for matters relating to the designation and operation of the special taxing district, the establishment and use of the special fund as well as authorizing the pledge of the special tax revenues to the payment by or reimbursement to the City for debt service or related costs which the City is obligated to pay or has paid (whether such obligation is general or limited) on any special obligation bonds or notes

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issued by the City or any "state obligations" issued in connection with the special taxing district, the replenishment of any reserve fund, and the payment of certain expenses and administrative costs related to the operation of the special taxing district.

**ON PAGE 3, LINE 31, THE LAW DEPARTMENT RECOMMENDED ADDING "STRUCTURED PARKING FACILITIES THAT ARE PUBLICLY OWNED OR PRIVATELY OWNED, BUT SERVE A PUBLIC PURPOSE" IN ORDER TO COMPLY WITH THE DEFINITION OF "INFRASTRUCTURE IMPROVEMENT" IN THE BALTIMORE CITY CHARTER, SEC. 62A (B)(6).**

08-0162 - State Obligations Pledge for Westport Waterfront Development for the purpose of authorizing the pledge by the City of Tax Increment Revenues and Special Tax Revenues (as such terms are defined herein), subject to appropriation, to the payment of debt service on State Obligations (as defined herein), issued from time to time and in one or more issues or series in an aggregate principal amount not exceeding \$160,000,000, the replenishment of any reserves and the payment of certain expenses and administrative costs, for the purpose of financing infrastructure improvements, including, without limitation, street and road improvements, site removal, the acquisition of land, the construction of buildings that will provide units of affordable housing and certain other infrastructure improvements permitted by the Acts (as defined herein); authorizing the execution and delivery by the City of a contribution agreement or other such agreement providing for such pledge; authorizing the Board of Finance to specify, prescribe, determine, provide for and approve the method and sources of such pledge, the details, forms, documents or procedures in connection with such pledge, and any other matters necessary or desirable in connection with such pledge; and providing for a special effective date.

CITY COUNCIL BILLS - cont'd

08-0180 - Sale of Property - 3904 White Avenue for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 3904 White Avenue (Block 5691, Lot 005) and no longer needed for public use; and providing for a special effective date.

A LARGE PUBLIC STORM DRAIN CROSSES THE PROPERTY. A SURFACE PARKING LOT WOULD NOT PROHIBIT ESTABLISHING THE EASEMENT, NOR WOULD IT INTERFERE WITH THE CITY ACCESSING THE UTILITY. THE DEPARTMENT OF PUBLIC WORKS SUPPORTS PASSAGE OF CITY COUNCIL BILL 08-0180, WITH THE UNDERSTANDING THAT A FULL WIDTH UTILITY EASEMENT BE CREATED AND INCLUDED IN THE DEEDING OF THE PROPERTY.

After NOTING AND CONCURRING in all favorable reports received, the Board approved the Bills and referred them to the City Council with the recommendation that they be approved and passed by that Honorable Body.

The President ABSTAINED from voting.

Sincerely,



Bernice H. Taylor  
Clerk to the Board of Estimates

BHT/amq