

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

October 11, 2011

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

Re: City Council Bill 11-0783 – North Locust Point Development District –
Amending Ordinance 03-0642

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 11-0783. The bill would allow the City to expand the existing North Locust Point Development District and would clarify the language concerning funds for infrastructure. The City has the power to make these changes by ordinance pursuant to Sections 62 (Tax Increment Act) and 62A (Special Taxing District Act) of Article II of the Baltimore City Charter.

However, in order to be consistent with those Charter requirements, the bill should be amended to clarify that revenues for parking will be used only for facilities that are either publicly owned or serving a public purpose. See Baltimore City Charter, §§(62)(c)(9), (62A)(b)(6). Section 1(h)(4) of the bill is more general, allowing revenues to be used for “parking facilities.” Because this language does not restrict the funds to structured and surface parking facilities that are either publicly owned or serving a public purpose, the Law Department recommends that the Bill be amended to include this limiting language after the word “parking facilities” in that section. A suggested amendment is attached.

Subject to that amendment, the Law Department approves the bill for form and legal sufficiency. Pursuant to the requirements of Section 62(b)(12) of Article II of the City Charter, this bill must be enacted and effective by the end of this calendar year. As such, the Law Department urges its prompt passage.

Very truly yours,

Hilary Ruley
Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison

Elena DiPietro, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Victor Tervalá, Assistant Solicitor

CITY OF BALTIMORE
COUNCIL BILL 11-0783

On page 3, Section 1(h)(4), line 25, delete “parking facilities” and insert “structured or surface parking facilities that are either publicly owned or serving a public purpose”