

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

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

June 3, 2009

The Honorable President and
Members of the Baltimore
City Council
c/o Karen Randle, Executive Secretary
409 City Hall
Baltimore, MD 21202

RE: City Council Bill 09-0293 – Downtown Management District-
Adjustment of Boundaries

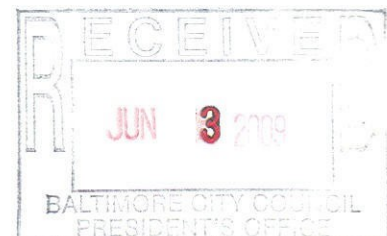
Dear President and Members

You have requested the advice of the Law Department regarding City Council Bill 09-0293. City Council Bill 293 expands the boundaries of the downtown Management District to encompass an area bounded by Franklin Street to the north, Howard Street to the east, Saratoga Street to the south, and Eutaw Street to the west, as well as properties fronting on the west side of Eutaw Street. Section 3 of the bill provide for the process for protesting the expansion of the boundaries.

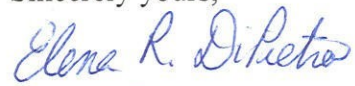
Article 14, Section 1-3 provides that the District may be expanded (and as so expanded, shall be deemed included within the term “District” as used hereafter), in 1 or more resolutions of this Council, up to, but not beyond, the boundaries authorized in the Enabling Legislation upon a recommendation from the governing board of the Authority created by this subtitle which is endorsed by the Board of Estimates of the City. This legislation is being introduced at the request of the Downtown Partnership of Baltimore, through its Board, the governing board of the Authority. There is statement regarding endorsement by the by the Board of Estimates but it unclear whether this has occurred.

Section 3 of the bill makes implementation of the bill contingent on the successful completion of a protest period and possible referendum. This is necessary under Section 1-19 in order to impose the fees and charges on the properties being added by the boundary expansion..

City Council Bill 09-0293 is consistent with the authority of the City Council. The Law Department, therefore, approves the City Council Bill 09-0293 for form and legal sufficiency.



Sincerely yours,



Elena R. DiPietro
Assistant Solicitor

cc: Honorable William Cole
Angela Gibson, City Council Liaison
George A. Nilson, City Solicitor
Deepa Bhattacharyya, Assistant Solicitor
Ashlea Brown, Assistant Solicitor
Hilary Ruley, Assistant Solicitor