

Chapter 314

(House Bill 1636)

AN ACT concerning

Baltimore City – South Baltimore Gateway Community ~~Benefits~~ Impact District and Distribution of Local Impact Grants

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to establish ~~certain community benefits district management authorities to include~~ the South Baltimore Gateway Community ~~Benefits~~ Impact District and South Baltimore Gateway Community Impact District Management Authority; requiring the ordinance establishing the South Baltimore Gateway Community ~~Benefits~~ Impact District Management Authority to specify and modify the boundaries of the district in a certain manner; requiring the district to include certain neighborhoods; requiring the establishing ordinance to address certain matters, including the powers and functions of the Authority, the duration of the Authority, the boundaries of the district, and the organization and method of initial appointment of officers and board members of the Authority; providing that a certain financial plan of the Authority shall be subject to the approval of the Baltimore City Board of Estimates; providing for the membership of the Authority; specifying the powers of the Authority; prohibiting the Authority from taking certain actions; prohibiting an officer or employee of the Authority from acting, in a certain capacity, as an agent or employee of the Mayor and City Council of Baltimore City or the State; ~~exempting the ordinance establishing the district or Authority from a certain requirement that the ordinance be submitted to certain affected voters in a special election~~; requiring the City Council to consider certain views and make certain determinations in adopting an ordinance under this Act; requiring the Mayor and City Council to review and determine the effectiveness and desirability of continuing the existence of the district in a certain manner; providing that the district shall cease to exist and the Authority shall continue to exist for a certain duration under certain circumstances; prohibiting the Mayor and City Council from permitting a reduction in certain services; providing that certain unspent funds shall revert to the City's General Fund under certain circumstances; requiring, starting in a certain fiscal year, a certain percentage of local impact grants from video lottery proceeds to be distributed to the Authority each year; making certain conforming changes; providing for the effective date of certain provisions of this Act; and generally relating to the distribution of certain local impact grants in Baltimore City and the establishment of the South Baltimore Gateway Community ~~Benefits~~ Impact District.

BY ~~repealing and reenacting, with amendments,~~ adding to

The Charter of Baltimore City

Article II – General Powers

Section ~~(69)~~ (69)

(2007 Replacement Volume, as amended)

BY repealing and reenacting, with amendments,
 Article – State Government
 Section 9–1A–31(b)(3)
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
 The Charter of Baltimore City
 Article II – General Powers
 Section ~~(63)(e-1)(1)(i)~~ (69)(c)(1)(i)
 (2007 Replacement Volume, as amended)
 (As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
 Article – State Government
 Section 9–1A–31(b)(3)
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)
 (As enacted by Section 3 of Chapter 1 of the Acts of the General Assembly of the
 Second Special Session of 2012)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

The Charter of Baltimore City

Article II – General Powers

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

~~(63)~~

~~(a) (1) To establish, by ordinance, not more than six community benefits district management authorities, including the Charles Village Community Benefits District [and], the Midtown Community Benefits District, AND THE SOUTH BALTIMORE GATEWAY COMMUNITY BENEFITS DISTRICT, within the City to provide services consistent with paragraph (2) of this subsection to the business interests and residents of the proposed district.~~

~~(2) To establish community benefits district management authorities to promote and market districts, provide supplemental security and maintenance services,~~

~~provide amenities in public areas, provide park and recreational programs and functions, and after an authority is established, other services and functions as requested by the authority and approved through an ordinance by the Mayor and City Council.~~

~~(3) To provide that community benefits district management authorities shall be proposed by the Board of Estimates of Baltimore City and approved through an ordinance by the Mayor and City Council.~~

~~(b) (1) The ordinance establishing the Charles Village Community Benefits District Management Authority shall specify and modify the boundaries of the district, but in no event shall the district be outside of the lines, as follows:~~

~~(i) on the south, a line beginning at the intersection of the center lines of 20th Street and Howard Street, running east along the center line of 20th Street to the center line of Guilford Avenue; then~~

~~(ii) running north along the center line of Guilford Avenue to the center line of 25th Street; then~~

~~(iii) running east along the center line of 25th Street to the center line of Loch Raven Boulevard; then running northeast along the centerline of Loch Raven Boulevard to the center line of the tracks of the CSX Railroad (approximately 500 feet north of 25th Street); then~~

~~(iv) running west along the center line of the CSX railroad tracks to the center line of Greenmount Avenue; then~~

~~(v) running north along the center line of Greenmount Avenue to the center line of Old York Road; then~~

~~(vi) running north along the center line of Old York Road to the center line of 43rd Street; then~~

~~(vii) running west along the center line of 43rd Street to the center line of Greenmount Avenue; then~~

~~(viii) running south along the center line of Greenmount Avenue to the center line of 33rd Street; then~~

~~(ix) running west along the center line of 33rd Street to the center line of Charles Street; then~~

~~(x) running south along the center line of Charles Street to the center line of 20th Street; then~~

~~(xi) running west along the center line of 29th Street to the center line of Howard Street; then running south along the center line of Howard Street to the center line of 26th Street; then~~

~~(xii) running west along the center line of 26th Street to the center line of Huntingdon Avenue; then running south along the center line of Huntingdon Avenue to the center line of 25th Street; then~~

~~(xiii) running east along the center line of 25th Street to the center line of Howard Street; then~~

~~(xiv) running south along the center line of Howard Street to the center line of 24th Street; then~~

~~(xv) running west along the center line of 24th Street to the center line of Huntingdon Avenue; then~~

~~(xvi) running south along the center line of Huntingdon Avenue to the center line of 23rd Street; then running west along the center line of 23rd Street to the center line of Huntingdon Avenue; then~~

~~(xvii) running south along the center line of Huntingdon Avenue to the center line of 21st Street; then~~

~~(xviii) running east along the center line of 21st Street to the center line of Howard Street; then~~

~~(xix) running south along the center line of Howard Street to the center line of 20th Street (point of origin).~~

~~(2) Notwithstanding paragraph (1) of this subsection, the Charles Village Community Benefits District may include properties binding on either side of a street or the CSX railroad tracks where they comprise part of the boundaries under this subsection.~~

~~(B-1)~~

(69)

(A) (1) TO ESTABLISH, BY ORDINANCE, THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT WITHIN THE CITY TO PROVIDE SERVICES CONSISTENT WITH PARAGRAPH (2) OF THIS SUBSECTION TO THE BUSINESS INTERESTS AND RESIDENTS OF THE PROPOSED DISTRICT.

(2) TO ESTABLISH THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY TO PROMOTE AND MARKET THE

DISTRICT, PROVIDE SUPPLEMENTAL SECURITY AND MAINTENANCE SERVICES, PROVIDE AMENITIES IN PUBLIC AREAS, PROVIDE PARK AND RECREATIONAL PROGRAMS AND FUNCTIONS, AND AFTER THE AUTHORITY IS ESTABLISHED, OTHER SERVICES AND FUNCTIONS AS REQUESTED BY THE AUTHORITY AND APPROVED THROUGH AN ORDINANCE BY THE MAYOR AND CITY COUNCIL.

(B) (1) THE ORDINANCE ESTABLISHING THE SOUTH BALTIMORE GATEWAY COMMUNITY ~~BENEFITS~~ IMPACT DISTRICT MANAGEMENT AUTHORITY SHALL SPECIFY AND MODIFY THE BOUNDARIES OF THE DISTRICT, BUT IN NO EVENT SHALL THE DISTRICT BE OUTSIDE THE LINES, AS FOLLOWS:

(I) ON THE SOUTH, A LINE BEGINNING AT THE INTERSECTION OF THE ~~CENTER LINES OF PATAPSCO AVENUE AND POTEE STREET, RUNNING NORTH ALONG THE CENTER LINE OF POTEE STREET TO THE CENTER LINE OF HOWARD STREET~~ CITY LINE AND THE CENTER LINE OF THE PATAPSCO RIVER, RUNNING NORTH ALONG THE CENTER LINE OF THE PATAPSCO RIVER TO HANOVER STREET; THEN

(II) RUNNING NORTH ALONG ~~THE CENTER LINE OF~~ HANOVER STREET TO ~~THE CENTER LINE OF~~ MCOMAS STREET; THEN

(III) RUNNING EAST ALONG ~~THE CENTER LINE OF~~ MCOMAS STREET TO THE CENTER LINE OF KEY HIGHWAY; THEN

(IV) RUNNING NORTHEAST ALONG THE CENTER LINE OF KEY HIGHWAY TO THE CENTER LINE OF EAST FORT AVENUE; THEN

(V) RUNNING SOUTHEAST ALONG THE CENTER LINE OF EAST FORT AVENUE TO THE CENTER LINE OF STEVENSON STREET; THEN

(VI) RUNNING NORTHEAST ALONG THE CENTER LINE OF STEVENSON STREET TO THE CENTER LINE OF KEY HIGHWAY; THEN

~~(IV)~~ (VII) RUNNING NORTH ALONG THE CENTER LINE OF KEY HIGHWAY TO THE CENTER LINE OF LIGHT STREET; THEN

~~(V)~~ (VIII) RUNNING NORTH ALONG THE CENTER LINE OF LIGHT STREET TO THE CENTER LINE OF ~~LOMBARD~~ EAST CONWAY STREET; THEN

(IX) RUNNING WEST ALONG THE CENTER LINE OF EAST CONWAY STREET TO THE CENTER LINE OF SOUTH HOWARD STREET; THEN

(X) RUNNING NORTH ALONG THE CENTER LINE OF SOUTH HOWARD STREET TO THE CENTER LINE OF WEST CAMDEN STREET; THEN

(XI) RUNNING WEST ALONG THE CENTER LINE OF WEST CAMDEN STREET TO THE CENTER LINE OF WASHINGTON BOULEVARD; THEN

(XII) RUNNING SOUTHWEST ALONG THE CENTER LINE OF WASHINGTON BOULEVARD TO THE CENTER LINE OF SOUTH GREENE STREET; THEN

(XIII) RUNNING NORTH ALONG SOUTH GREENE STREET TO THE CENTER LINE OF WEST PRATT STREET; THEN

(XIV) RUNNING WEST ALONG THE CENTER LINE OF WEST PRATT STREET TO THE CENTER LINE OF SOUTH MARTIN LUTHER KING JUNIOR BOULEVARD; THEN

(XV) RUNNING NORTH ALONG THE CENTER LINE OF SOUTH MARTIN LUTHER KING JUNIOR BOULEVARD TO THE CENTER LINE OF WEST LOMBARD STREET; THEN

~~(VI)~~ (XVI) RUNNING WEST ALONG THE CENTER LINE OF WEST LOMBARD STREET TO THE CENTER LINE OF SCOTT STREET; THEN

~~(VII)~~ (XVII) RUNNING SOUTH ALONG THE CENTER LINE OF SCOTT STREET TO THE CENTER LINE OF PRATT STREET; THEN

~~(VIII)~~ (XVIII) RUNNING WEST ALONG THE CENTER LINE OF PRATT STREET TO THE CENTER LINE OF CAREY STREET; THEN

~~(IX)~~ (XIX) RUNNING SOUTH ALONG THE CENTER LINE OF CAREY STREET TO THE CENTER LINE OF THE TRACKS OF THE BALTIMORE AND OHIO RAILROAD; THEN

~~(X)~~ (XX) RUNNING WEST ALONG THE CENTER LINE OF THE TRACKS OF THE BALTIMORE AND OHIO RAILROAD TO THE GWYNNS FALLS; THEN

~~(XI)~~ (XXI) RUNNING SOUTH ALONG THE CENTER LINE OF THE GWYNNS FALLS TO THE CENTER LINE OF WASHINGTON BOULEVARD; THEN

~~(XII)~~ (XXII) RUNNING WEST ALONG THE CENTER LINE OF WASHINGTON BOULEVARD TO THE CENTER LINE OF HOLLINS FERRY ROAD; THEN

~~(XIII)~~ (XXIII) RUNNING SOUTH ALONG THE CENTER LINE OF HOLLINS FERRY ROAD TO THE CENTER LINE OF THE TRACKS OF THE CSX RAILROAD; THEN

~~(XIV)~~ (XXIV) RUNNING SOUTHWEST ALONG THE CENTER LINE OF THE TRACKS OF THE CSX RAILROAD TO THE ~~CENTER LINE OF PATAPSCO AVENUE CITY LINE~~; THEN

(XXV) RUNNING SOUTHEAST ALONG THE CITY LINE TO THE CENTER LINE OF THE PATAPSCO RIVER (POINT OF ORIGIN).

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE SOUTH BALTIMORE GATEWAY COMMUNITY ~~BENEFITS~~ IMPACT DISTRICT SHALL INCLUDE PROPERTIES WITHIN THE SAINT PAUL, MOUNT WINANS, LAKELAND, CHERRY HILL, WESTPORT, CARROLL PARK, CARROLL-CAMDEN INDUSTRIAL AREA, PIGTOWN/WASHINGTON VILLAGE, BARRE CIRCLE, RIDGELY'S DELIGHT, OTTERBEIN, FEDERAL HILL, RIVERSIDE, SOUTH BALTIMORE, STADIUM AREA, SPRING GARDEN INDUSTRIAL AREA, MIDDLE BRANCH/REEDBIRD PARKS, AND WESTPORT NEIGHBORHOOD STATISTICAL AREAS ACCORDING TO THE 2011 NEIGHBORHOOD STATISTICAL AREAS MAP.

~~(e) An ordinance establishing a community benefits district management authority shall address the following:~~

~~(1) specify the powers and functions within the limits of this section, which may be exercised and conducted by the Authority and the amount of taxes or charges which may be imposed on properties in the district.~~

~~(2) specify the duration of the Authority and define the boundaries of the district.~~

~~(3) provide for the imposition and collection of the taxes or charges and for disbursement of the revenue therefrom to the Authority. The financial plan of the Authority, including its annual budget and its tax rate and schedule of charges, shall be subject to approval by the Board of Estimates. Taxes and charges imposed under this paragraph may not exceed those proposed by the Authority.~~

~~(4) determine the organization and method of initial appointment of officers and board members of the Authority. The majority of the members of the board shall be owners or representatives of owners of properties in the district that are subject to taxes or charges under this section. A voting member of the board must be eligible to vote in the election under subsection ~~[(j)]~~ (k) of this section.~~

~~(5) determine what classes of property in the district owned by public service companies as defined in ~~[Article 78]~~ THE PUBLIC UTILITIES ARTICLE of the Annotated Code of Maryland shall be subject to or exempt from taxes or charges under this section.~~

~~(C-1) (C) (1) NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, THE~~
THE ORDINANCE ESTABLISHING THE SOUTH BALTIMORE GATEWAY COMMUNITY
BENEFITS IMPACT DISTRICT MANAGEMENT AUTHORITY SHALL ADDRESS THE
FOLLOWING:

(I) SPECIFY THE POWERS AND FUNCTIONS WITHIN THE LIMITS OF THIS SECTION, WHICH MAY BE EXERCISED AND CONDUCTED BY THE AUTHORITY AND FUND THE AUTHORITY WITH NOT LESS THAN 50% OF THE LOCAL IMPACT GRANTS FROM VIDEO LOTTERY PROCEEDS DISTRIBUTED TO BALTIMORE CITY UNDER § 9-1A-31(A)(1)(I) OF THE STATE GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND;

(II) SPECIFY THE DURATION OF THE AUTHORITY AND DEFINE THE BOUNDARIES OF THE DISTRICT;

(III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, PROVIDE FOR THE DISBURSEMENT OF THE REVENUE FROM LOCAL IMPACT GRANTS TO THE AUTHORITY; AND

(IV) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, DETERMINE THE ORGANIZATION AND METHOD OF INITIAL APPOINTMENT OF OFFICERS AND BOARD MEMBERS OF THE AUTHORITY.

(2) THE FINANCIAL PLAN OF THE AUTHORITY, INCLUDING ITS ANNUAL BUDGET, SHALL BE SUBJECT TO APPROVAL BY THE BOARD OF ESTIMATES.

(3) (I) THE BOARD SHALL CONSIST OF NOT MORE THAN ~~19~~ 21 MEMBERS.

(II) THE MAJORITY OF THE MEMBERS OF THE BOARD SHALL BE RESIDENTS OF THE DISTRICT.

(III) THE AUTHORITY SHALL BE CHAIRED BY AN INDIVIDUAL APPOINTED BY THE STATE SENATOR WHO REPRESENTS THE LEGISLATIVE DISTRICT WHERE THE VIDEO LOTTERY FACILITY IS LOCATED.

~~(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, THE AUTHORITY'S BOARD SHALL INCLUDE TWO STATE DELEGATES WHO REPRESENT THE LEGISLATIVE DISTRICT OR DISTRICTS WHERE COMMUNITIES SURROUNDING THE VIDEO LOTTERY FACILITY ARE LOCATED.~~

~~(v) (IV) THE STATE DELEGATES SHALL BE SUBJECT TO SUBPARAGRAPH (VI) OF THIS PARAGRAPH, THE AUTHORITY'S BOARD SHALL INCLUDE FOUR MEMBERS DESIGNATED BY THE SPEAKER OF THE HOUSE.~~

~~(VI) THE CHAIR OF THE AUTHORITY SHALL SELECT TWO MEMBERS OF THE BOARD.~~

(V) SUBJECT TO SUBPARAGRAPH (VI) OF THIS PARAGRAPH, TWO MEMBERS OF THE AUTHORITY'S BOARD SHALL BE DESIGNATED BY THE STATE SENATOR WHO REPRESENTS THE LEGISLATIVE DISTRICT WHERE THE VIDEO LOTTERY FACILITY IS LOCATED.

(VI) OF THE SIX MEMBERS DESIGNATED UNDER SUBPARAGRAPHS (IV) AND (V) OF THIS PARAGRAPH:

1. AT LEAST TWO MEMBERS SHALL BE RESIDENTS OF THE 40TH LEGISLATIVE DISTRICT; AND

2. AT LEAST TWO MEMBERS SHALL BE RESIDENTS OF THE 46TH LEGISLATIVE DISTRICT.

~~(d) As provided by ordinance, the Authority may have the power:~~

~~(1) to be a special tax district and to conduct the functions which are assigned to it by the City;~~

~~(2) to acquire, hold and use property necessary to achieve its purposes;~~

~~(3) to make contracts;~~

~~(4) to sue and be sued;~~

~~(5) to borrow and accept grants for purposes consistent with the purposes of the Authority;~~

~~(6) to employ and discharge personnel to carry out its public purposes;~~

~~(7) to propose in its annual budget the taxes or charges on properties within the district. Property that is exempt under State law from ordinary property taxes shall be exempt from taxes or charges assessed to support the Authority. Before adopting its proposed budget and making its recommendations to the City, an Authority shall hold a public hearing on taxes or charges proposed for the district. The Authority shall publish notice of the hearing in a newspaper of general circulation in Baltimore City at least once a week for 3 consecutive weeks before the hearing;~~

~~(8) to adopt, amend and modify bylaws, all of which shall be subject to the approval of the Board of Estimates;~~

~~(9) to establish and elect officers and provide for their terms and duties;~~

~~(10) to contract for and purchase goods and services, without being subject to the City requirements regarding wage scales, competitive bidding or other local procurement laws. However, the Authority shall be subject to City ordinances and City policy requiring achievement of goals regarding minority and women's business enterprises; and~~

~~(11) to do all things necessary or convenient to carry out its powers.~~

~~(D-1) (D) (1) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, THE~~ **THE** ORDINANCE ESTABLISHING THE SOUTH BALTIMORE GATEWAY COMMUNITY ~~BENEFITS~~ BENEFITS IMPACT DISTRICT MANAGEMENT AUTHORITY MAY AUTHORIZE THE AUTHORITY TO:

(I) BE A SPECIAL ~~BENEFITS~~ BENEFITS IMPACT DISTRICT AND TO CONDUCT THE FUNCTIONS WHICH ARE ASSIGNED TO IT BY THE CITY;

(II) ACQUIRE, HOLD, AND USE PROPERTY NECESSARY TO ACHIEVE ITS PURPOSES;

(III) MAKE CONTRACTS;

(IV) SUE AND BE SUED;

(V) BORROW AND ACCEPT GRANTS FOR PURPOSES CONSISTENT WITH THE PURPOSES OF THE AUTHORITY;

(VI) EMPLOY AND DISCHARGE PERSONNEL TO CARRY OUT ITS PUBLIC PURPOSES;

(VII) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, PROPOSE IN ITS ANNUAL BUDGET THE ALLOCATION OF LOCAL IMPACT GRANTS DISTRIBUTED TO THE AUTHORITY;

(VIII) ADOPT, AMEND, AND MODIFY BYLAWS, ALL OF WHICH SHALL BE SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES;

(IX) ESTABLISH AND ELECT OFFICERS AND PROVIDE FOR THEIR TERMS AND DUTIES;

(X) SUBJECT TO CITY ORDINANCES AND CITY POLICY REQUIRING ACHIEVEMENT OF GOALS REGARDING MINORITY AND WOMEN’S BUSINESS ENTERPRISES BUT NOT TO THE CITY REQUIREMENTS REGARDING WAGE SCALES, COMPETITIVE BIDDING, OR OTHER LOCAL PROCUREMENT LAWS, CONTRACT FOR AND PURCHASE GOODS AND SERVICES; AND

(XI) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT ITS POWERS.

(2) (I) BEFORE ADOPTING ITS PROPOSED BUDGET AND MAKING ITS RECOMMENDATIONS TO THE CITY, THE AUTHORITY SHALL HOLD A PUBLIC HEARING ON THE ALLOCATIONS PROPOSED FOR THE DISTRICT.

(II) THE AUTHORITY SHALL PUBLISH NOTICE OF THE HEARING ~~IN A NEWSPAPER OF GENERAL CIRCULATION IN BALTIMORE CITY AT LEAST ONCE A WEEK~~ ON THE WEB SITE OF THE AUTHORITY FOR 3 CONSECUTIVE WEEKS BEFORE THE HEARING.

~~(c) An Authority created under this section may not:~~

~~(1) exercise any police or general powers other than those authorized by State law and City ordinance;~~

~~(2) pledge the full faith or credit of the City;~~

~~(3) impose taxes or charges in excess of those approved by the Board of Estimates;~~

~~(4) exercise the power of eminent domain;~~

~~(5) extend its life without the approval of the City Council;~~

~~(6) except as otherwise provided by law, engage in competition with the private sector;~~

~~(7) except as otherwise provided in subsection [(i)] (J) of this section, revert charges or taxes collected pursuant to this section to the General Fund of the City;~~

~~(8) be an agency of the Mayor and City Council of Baltimore or the State of Maryland, and its officers and employees may not act as agents or employees of the Mayor and City Council of Baltimore or the State of Maryland;~~

~~(9) employ individuals who reside outside the City of Baltimore; and~~

~~(10) except as required or appropriate to facilitate its normal operations, incur debt.~~

~~(E-1)~~ **(E) (1) THE SOUTH BALTIMORE GATEWAY COMMUNITY ~~BENEFITS~~ IMPACT DISTRICT MANAGEMENT AUTHORITY CREATED UNDER THIS SECTION MAY NOT:**

(I) EXERCISE ANY POLICE OR GENERAL POWERS OTHER THAN THOSE AUTHORIZED BY STATE LAW AND CITY ORDINANCE;

(II) PLEDGE THE FULL FAITH OR CREDIT OF THE CITY;

(III) IMPOSE ANY TAXES OR CHARGES;

(IV) EXERCISE THE POWER OF EMINENT DOMAIN;

(V) EXTEND ITS LIFE WITHOUT THE APPROVAL OF THE CITY COUNCIL;

(VI) EXCEPT AS OTHERWISE PROVIDED BY LAW, ENGAGE IN COMPETITION WITH THE PRIVATE SECTOR;

(VII) EXCEPT AS PROVIDED IN SUBSECTION (J) OF THIS SECTION, REVERT LOCAL IMPACT GRANTS TO THE GENERAL FUND OF THE CITY;

(VIII) BE AN AGENCY OF THE MAYOR AND CITY COUNCIL OF BALTIMORE OR THE STATE OF MARYLAND;

(IX) EMPLOY INDIVIDUALS WHO RESIDE OUTSIDE THE CITY OF BALTIMORE; AND

(X) EXCEPT AS REQUIRED OR APPROPRIATE TO FACILITATE ITS NORMAL OPERATIONS, INCUR DEBT.

(2) AN OFFICER OR EMPLOYEE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY ~~BENEFITS~~ IMPACT DISTRICT MANAGEMENT AUTHORITY CREATED UNDER THIS SECTION MAY NOT ACT, IN THE OFFICER'S OR EMPLOYEE'S CAPACITY FOR THE AUTHORITY, AS AN AGENT OR EMPLOYEE OF THE MAYOR AND CITY COUNCIL OF BALTIMORE OR THE STATE OF MARYLAND.

~~(f) In adopting an ordinance, the City Council shall:~~

~~(1) give consideration to the views of the property owners, the retail merchants, the property tenants, and the other members of the business and residential communities within the district;~~

~~(2) make a determination that a district created under this section will reflect a diverse mix of business and residential properties; and~~

~~(3) make a determination that a district created under this section will reflect a diverse economic, social, and racial mix.~~

~~(g) The Mayor and City Council shall review the effectiveness and desirability of continuing the existence of any district established under this section every 4 years from the enactment of the ordinance.~~

~~(h) (1) The Mayor and City Council shall review and determine the desirability of continuing the existence of each community benefits district established under this section every 4 years:~~

~~(i) beginning with the first meeting of the Mayor and City Council in December 2001 for the Charles Village Community Benefits District, Management Authority;~~

~~(ii) beginning with the first meeting of the Mayor and City Council in December, 2003 for the Midtown Community Benefits District; and~~

~~(iii) beginning 4 years after the date of the establishment of any other community benefits district created under this section.~~

~~(2) If the continuing existence of a community benefits district is not approved:~~

~~(i) the district shall cease to exist at the end of the City's fiscal year in which approval was not granted; and~~

~~(ii) the District Management Authority shall continue its existence only as long as necessary to terminate operations in a reasonable manner and to arrange for the disposition of all funds not needed to satisfy outstanding obligations and reserves for uncertain obligations and liabilities.~~

~~(i) The Mayor and City Council of Baltimore may not permit a reduction in the services provided by the City in a district due to the establishment of a community benefits district management authority.~~

~~(j) In the event of a dissolution of a community benefits district, any unspent funds shall revert back to the City's General Fund.~~

~~(k) (1) THIS SUBSECTION DOES NOT APPLY TO AN ORDINANCE ADOPTED CONCERNING THE SOUTH BALTIMORE GATEWAY COMMUNITY BENEFITS DISTRICT.~~

~~(2) An ordinance adopted pursuant to this section shall take effect only if approved by 58% of the aggregate votes cast in a special election by the affected voters.~~

~~[(2)] (3) The ordinance shall provide criteria for the eligibility of voters for purposes of the election required by this subsection.~~

~~[(3)] (4) The ordinance shall provide procedures for a special election as required in this subsection, which may be administered by write-in ballots.~~

(F) IN ADOPTING AN ORDINANCE, THE CITY COUNCIL SHALL:

(1) GIVE CONSIDERATION TO THE VIEWS OF THE PROPERTY OWNERS, THE RETAIL MERCHANTS, THE PROPERTY TENANTS, AND THE OTHER MEMBERS OF THE BUSINESS AND RESIDENTIAL COMMUNITIES WITHIN THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT; AND

(2) MAKE A DETERMINATION THAT THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT WILL REFLECT:

(I) A DIVERSE MIX OF BUSINESS AND RESIDENTIAL PROPERTIES; AND

(II) A DIVERSE ECONOMIC, SOCIAL, AND RACIAL MIX.

(G) THE MAYOR AND CITY COUNCIL SHALL REVIEW THE EFFECTIVENESS AND DESIRABILITY OF CONTINUING THE EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT ESTABLISHED UNDER THIS SECTION EVERY 4 YEARS FROM THE ENACTMENT OF THE ORDINANCE.

(H) (1) THE MAYOR AND CITY COUNCIL SHALL REVIEW AND DETERMINE THE DESIRABILITY OF CONTINUING THE EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT ESTABLISHED UNDER THIS SECTION EVERY 4 YEARS BEGINNING 4 YEARS AFTER THE DATE OF THE ESTABLISHMENT OF THE DISTRICT.

(2) IF THE CONTINUING EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT IS NOT APPROVED:

(I) THE DISTRICT SHALL CEASE TO EXIST AT THE END OF THE CITY'S FISCAL YEAR IN WHICH APPROVAL WAS NOT GRANTED; AND

(II) THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY SHALL CONTINUE ITS EXISTENCE ONLY AS LONG AS NECESSARY TO TERMINATE OPERATIONS IN A REASONABLE MANNER AND TO ARRANGE FOR THE DISPOSITION OF ALL FUNDS NOT NEEDED TO SATISFY OUTSTANDING OBLIGATIONS AND RESERVES FOR UNCERTAIN OBLIGATIONS AND LIABILITIES.

(I) THE MAYOR AND CITY COUNCIL MAY NOT PERMIT A REDUCTION IN THE SERVICES PROVIDED BY THE CITY IN THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT DUE TO THE ESTABLISHMENT OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY.

(J) IN THE EVENT OF A DISSOLUTION OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT, ANY UNSPENT FUNDS SHALL REVERT BACK TO THE CITY’S GENERAL FUND.

Article – State Government

9–1A–31.

(b) (3) In Baltimore City[,]:

(I) BEGINNING IN FISCAL YEAR 2018, AT LEAST 50% OF THE LOCAL IMPACT GRANTS PROVIDED UNDER SUBSECTION (A)(1)(I) OF THIS SECTION SHALL BE DISTRIBUTED TO THE SOUTH BALTIMORE GATEWAY COMMUNITY ~~BENEFITS~~ IMPACT DISTRICT MANAGEMENT AUTHORITY; AND

(II) local impact grants provided under subsection (a)(1)(i) of this section shall be used for improvements in the communities in immediate proximity to the video lottery facility and may be used for the following purposes:

[(i)] 1. infrastructure improvements;

[(ii)] 2. facilities;

[(iii)] 3. public safety;

[(iv)] 4. sanitation;

[(v)] 5. economic and community development, including housing;

and

[(vi)] 6. other public services and improvements.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

The Charter of Baltimore City

Article II – General Powers

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

~~(63)~~ (69)

~~(e-1)~~ (c) (1) ~~Notwithstanding subsection (e) of this section, the~~ The ordinance establishing the South Baltimore Gateway Community ~~Benefits~~ Impact District Management Authority shall address the following:

(i) specify the powers and functions within the limits of this section, which may be exercised and conducted by the Authority and fund the Authority with not less than 50% of the local impact grants from video lottery proceeds distributed to Baltimore City under [§ 9-1A-31(a)(1)(i)] **§ 9-1A-31(A)(3)(I)** of the State Government Article of the Annotated ~~code~~ Code of Maryland;

Article – State Government

9-1A-31.

(b) (3) In Baltimore City[,]:

(I) BEGINNING IN FISCAL YEAR 2018, AT LEAST 50% OF THE LOCAL IMPACT GRANTS PROVIDED UNDER SUBSECTION (A)(3)(I) OF THIS SECTION SHALL BE DISTRIBUTED TO THE SOUTH BALTIMORE GATEWAY COMMUNITY ~~BENEFITS~~ IMPACT DISTRICT MANAGEMENT AUTHORITY; AND

(II) local impact grants provided under subsection (a)(3)(i) of this section shall be used for improvements in the communities in immediate proximity to the video lottery facility and may be used for the following purposes:

[(i)] 1. infrastructure improvements;

[(ii)] 2. facilities;

[(iii)] 3. public safety;

[(iv)] 4. sanitation;

[(v)] 5. economic and community development, including housing;

and

[(vi)] 6. other public services and improvements.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Section 3 of Chapter 1 of the Acts of the General Assembly of the Second Special Session of 2012. If Section 3 of Chapter 1 of the Acts of the General Assembly of the Second Special Session of 2012 does not take effect, Section 2 of this Act shall be abrogated and of no further force and effect.

SECTION 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this Act, this Act shall take effect June 1, 2016.

Approved by the Governor, April 26, 2016.