

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Charter Resolution 302 concerning Amending Section 75 City Property Sale, Transfer or Conveyance**
(Public Hearing)

Date: **6/4/2024**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
 - Read and Comment as Needed**
 - Action Required by July 1, 2024**
 - In Confidential File Drawer

Approve:

Johnny Boker Yes No No Comment
Comment: _____

Casi Boyer Yes No No Comment
Comment: _____

Vicki Jones Yes No No Comment
Comment: _____

Jim Ringsaker Yes No No Comment
Comment: _____

Jason Robertson Yes No No Comment
Comment: _____

Tammy Lynn Schneegas Yes No No Comment
Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

CHARTER AMENDMENT RESOLUTION NO. 302

Introduced by Council President Ringsaker

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF
HAVRE DE GRACE, MARYLAND, PURSUANT TO THE LOCAL
GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF
MARYLAND AND SECTIONS 33 AND 34 OF THE CITY CHARTER
TO AMEND SECTION 75 CITY PROPERTY; SALE; TRANSFER OR
CONVEYANCE**

On: 6/3/2024

at: 7:00 p.m.

Charter Amendment Resolution introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for July 1, 2024 at 7:00 p.m.

EXPLANATION
Underlining indicates matter added to existing law.
[Bold Brackets] indicate matter deleted from existing law.
Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

28 Section 75 of the City Charter is to be amended as follows, with the words underscored to be added
29 and the words in bold brackets to be deleted.

30 A. Whenever the Mayor and City Council of Havre de Grace determines that any City-owned real
31 estate or interest therein, other than utilities, is no longer needed for any public use, and
32 authorizes the sale, transfer or conveyance of the same, it shall be offered for sale to the general
33 public by sealed bid. The City Council shall, in the approving resolution, set all bid
34 specifications, including any minimum bid amount.

35 B. A notice offering the general public the opportunity to place a bid on said real estate or interest
36 shall be (i) published in a newspaper having a general circulation in the City and in such other
37 publications as the City Council may choose, for at least three (3) consecutive weeks
38 immediately prior to the deadline for the acceptance of bids, and (ii) posted at City Hall for
39 three (3) consecutive weeks prior to the deadline for the acceptance of bids. The notice shall
40 contain information concerning the bid process and bid specifications, including (i) any
41 minimum bid and deposit requirement, (ii) how, where, and when to place bids, (iii) the date,
42 time, and place of the opening of bids, (iv) the location of the real estate or interest, and (v) the
43 legal description of the real estate or interest as recorded in the land records of Harford County.
44 Said bids shall be sealed and filed by bidders with the Director of Administration.

45 C. All bids shall be opened and read aloud at City Hall on the date and time specified in the bid
46 requests. The highest bid that meets all specifications shall constitute an acceptance of the
47 City's offer to sell the subject real estate or interest, subject to all bid specifications and the
48 conditions contained in this section.

49 D. Anything contained in this Section to the contrary notwithstanding, if it is determined by not
50 less than five of the members of the City Council in the authorizing resolution to be in the best
51 interest of the City, the City Council may (i) reject any and all bids if, in its opinion, it is in the
52 best interests of the City to do, or (ii) waive the provisions of this Section pertaining to bid
53 requirements and may authorize a sale by negotiated contract or a shortened notice schedule.

54 E. Unless the approving resolution expressly provides otherwise, the settlement or closing for the
55 property or interest therein that is the subject of the sale, transfer, or conveyance shall take
56 place within one (1) year from the date of the election approving the same.

57 F. Unless the approving resolution expressly provides otherwise, all City-owned real estate and
58 interests therein shall be sold, transferred, and conveyed "as is" as to its title and physical
59 condition.

60 G. The sale, transfer or conveyance of said real estate or interest therein shall occur only after
61 approval of a majority of legal voters casting ballots at a general or special election held for
62 that purpose. Public notice of proposed sale, transfer or conveyance and the election
63 concerning same shall be made in a newspaper having general circulation in the City of Havre
64 de Grace, published at least once a week for at least three (3) consecutive weeks immediately
65 prior to the election. Notice shall also be publicly displayed at City Hall for three (3)
66 consecutive weeks prior to the election. The notice shall include the following information: (i)
67 the location of the real estate or interest, (ii) the legal description of the real estate or interest
68 as recorded in the land records of Harford County, (iii) the current appraised value of the real

69 estate or interest for tax purposes as determined by the Maryland State Department of
70 Assessments and Taxation, (iv) the proposed purchase price, and (v) the proposed use of the
71 real estate or interest.

72 H. Unless the time is extended by resolution of the Mayor and City Council for good cause in the
73 exercise of its discretion, if the settlement or closing does not take place within one (1) year
74 from the date of the election approving the subject sale, transfer, or conveyance, or in the event
75 the purchaser fails to fulfill all bid requirements and the conditions contained in this Section,
76 the authorizing resolution and any and all agreements, rights, obligations, and liabilities
77 between the City and the proposed grantee for the sale, transfer, or conveyance of the subject
78 property or interest therein shall thereupon be deemed terminated, extinguished, and of no
79 further force or effect. If in the event all requirements as outlined in this Section have not been
80 fulfilled, settlement or closing shall not take place.

81 I. A referendum shall not be required under the following circumstances:

- 82 (1) The sale, transfer or conveyance of any drainage or utility easement.
- 83 (2) The sale, transfer or conveyance of real estate by virtue of deeds and boundary line
84 agreements which establish property lines and right-of-way lines.
- 85 (3) The sale, transfer or conveyance of real estate acquired in connection with the tax sales
86 or the foreclosure of tax liens.

87 **[J. Upon the completion of any sale, transfer or conveyance of City real estate pursuant to
88 this section, all net profits therefrom shall be held separate and apart from the general
89 funds of the City and reserved for the exclusive use and purpose of acquiring or funding
90 the condemnation of property or an interest therein for a public purpose pursuant to City
91 Charter Section 73.]**

92 **NOW, THEREFORE**, it is determined, decided, and resolved by the City Council that the
93 aforementioned is hereby approved.

94 ADOPTED by the City Council of Havre de Grace, Maryland this __ day of ____, 2024.

95 SIGNED by the Mayor and attested by the Director of Administration this __ day of ____, 2024.

96 ATTEST:	MAYOR AND CITY COUNCIL OF HAVRE DE GRACE
97	
98	

99 _____	_____
100 Christopher Ricci	William T. Martin
101 Director of Administration	Mayor

102
103 Introduced/First Reading: 6/3/2024

104 Public Hearing:

105 Second Reading/Adopted:

106 Effective Date: