

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 19-0468**

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Introduced by: The Council President  
At the request of: The Administration (Child First Authority)  
Introduced and read first time: November 18, 2019  
Assigned to: Judiciary Committee

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Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: December 5, 2019

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**AN ORDINANCE CONCERNING**

**Child First Authority – Updating**

- 1
- 2 FOR the purpose of amending certain statutory provisions governing the Child First Authority to  
3 better reflect the Authority’s status under City Charter Article II, § 64(b), as an “independent  
4 unit” of City government; conforming certain provisions to long-standing existing practice;  
5 and repealing certain obsolete provisions.
- 6 BY repealing and reordaining, without amendment  
7 Article 1 - Mayor, City Council, and Municipal Agencies  
8 Section 28-3(a) ~~and (e)~~  
9 Baltimore City Code  
10 (Edition 2000)
- 11 BY repealing and reordaining, with amendments  
12 Article 1 - Mayor, City Council, and Municipal Agencies  
13 Sections 28-3(b)(5) and (6), 28-3(c), and 28-5  
14 Baltimore City Code  
15 (Edition 2000)
- 16 BY repealing  
17 Article 1 - Mayor, City Council, and Municipal Agencies  
18 Sections 28-6, 28-7(d), and 28-8  
19 Baltimore City Code  
20 (Edition 2000)
- 21 BY renumbering  
22 Article 1 - Mayor, City Council, and Municipal Agencies  
23 Section 28-7  
24 to be  
25 Section 28-6  
26 Baltimore City Code  
27 (Edition 2000)

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by  
amendment or deleted from existing law by amendment.

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1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
2 Laws of Baltimore City read as follows:

3 **Baltimore City Code**

4 **Article 1. Mayor, City Council, and Municipal Agencies**

5 **Subtitle 28. Child First Authority**

6 **§ 28-3. Powers of Authority.**

7 (a) *In general.*

8 The powers of the Authority shall be broadly interpreted to allow the Authority to achieve  
9 the purposes of Article II, § (64) of the City Charter and this subtitle.

10 (b) *Enumeration.*

11 In addition to any other powers specified in this subtitle, the Authority may:

12 . . . .  
13 (5) [subject to the approval of the Board of Estimates,] borrow funds for purposes  
14 consistent with the public purposes of the Authority;

15 (6) [subject to the approval of the Board of Estimates,] incur limited-obligation debt  
16 that shall be an obligation solely of the Authority;

17 . . . .

18 (c) *Exemptions.*

19 (1) IN GENERAL.

20 To the extent not specifically made subject to laws and procedures that would  
21 otherwise apply to any unit of the City government, the Authority is exempt from  
22 those laws and procedures.

23 (2) CITY FUNDING.

24 HOWEVER, IF THE AUTHORITY IS GIVEN DIRECT CITY FUNDING, THE RECEIPT  
25 AND EXPENDITURE OF THOSE FUNDS ARE SUBJECT TO THE POWERS AND AUTHORITY  
26 OF THE BOARD OF ESTIMATES.

27 **§ 28-5. Board of Directors.**

28 (a) *Board to govern Authority.*

29 (1) The Authority shall be governed and administered by [a board of directors] ITS  
30 BOARD OF DIRECTORS.

31 (2) THE BOARD MEMBERS SHALL BE APPOINTED AND SERVE THE TERMS PRESCRIBED BY  
32 THE AUTHORITY’S BYLAWS.

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1        [(b) *Composition.*]

2            [The Board consists of 7 members of which:

3                    (1) 3 shall be appointed by the Mayor;

4                    (2) 1 shall be appointed by the President of the City Council; and

5                    (3) 3 shall be appointed by Baltimoreans United in Leadership Development.]

6        [(c) *Term of members.*]

7            [(1) The term of a member of the Board is 3 years.]

8            [(2) However, the terms of those first appointed to the Board shall expire June 30, 1999,  
9                    and the terms beginning July 1, 1999 shall be staggered as follows:]

10                    [(i) of the members appointed by the Mayor:

11                            (A) 1 shall be appointed for a term expiring June 30, 2000;

12                            (B) 1 shall be appointed for a term expiring June 30, 2001; and

13                            (C) 1 shall be appointed for a term expiring June 30, 2002;]

14                    [(ii) the term of the member appointed by the President of the City Council shall  
15                            expire June 30, 2002; and]

16                    [(iii) of the members appointed by Baltimoreans United in Leadership  
17                            Development:

18                            (A) 1 shall be appointed for a term expiring June 30, 2000;

19                            (B) 1 shall be appointed for a term expiring June 30, 2001; and

20                            (C) 1 shall be appointed for a term expiring June 30, 2002.]

21        [(d) *Vacancies.*]

22            [(1) A vacancy on the Board shall be filled by the appointing authority for the particular  
23                    vacant position.]

24            [(2) A member who is appointed after a term has begun serves only for the rest of the  
25                    term and until a successor is appointed and qualifies.]

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1 (B) [(e)] *Bylaws[.]; Rules[,] and regulations.*

2 (1) *BYLAWS.*

3 [Subject to the approval of the Board of Estimates, the] THE Board [may] SHALL  
4 adopt, AND MAY AMEND FROM TIME TO TIME, [bylaws,] BYLAWS, [rules, and  
5 regulations] not inconsistent with the Charter or this subtitle, FOR THE  
6 ADMINISTRATION OF THE AUTHORITY.

7 (2) *RULES AND REGULATIONS.*

8 Except as may be restricted by the Charter or this subtitle, the Board may [establish its  
9 own procedures for the internal administration of the Authority] adopt rules and  
10 regulations to carry out this subtitle.

11 (C) [(f)] *Officers.*

12 (1) The [bylaws] BYLAWS shall provide for officers of the [Board] AUTHORITY, including  
13 a president, vice-president, treasurer, secretary, and any other officers deemed  
14 necessary OR APPROPRIATE, and shall specify their qualifications, terms, and duties.

15 (2) The Board shall select from among its members individuals to serve as officers OF  
16 THE BOARD and may delegate to those officers the responsibilities the Board deems  
17 appropriate.

18 (D) [(g)] *Exercise of Authority's powers.*

19 All powers of the Authority shall be exercised by the Board, unless delegated by the  
20 Board to 1 or more of the officers or to the Executive Director.

21 **[\S 28-6. Annual Financial Plan.]**

22 [(a)] *Plan required.]*

23 [(1)] Subject to the approval of the Board of Estimates, the Board shall adopt a financial  
24 plan based upon the City's fiscal year.]

25 [(2)] The plan shall include a proposed schedule of fees or charges to be imposed and an  
26 annual budget.]

27 [(b)] *Initial plan and budget.]*

28 [(1)] The first financial plan of the Authority may be for less than a full fiscal year.]

29 [(2)] The initial budget for the Authority shall include the fiscal year ending on June 30,  
30 1997, and may include the costs of preparing the financial plan and start-up costs for  
31 the Authority, if the costs were incurred during that fiscal year.]

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1        [(c) *Submission to Board of Estimates.*]

2            [Beginning with the financial plan for Fiscal Year 1998, the Board shall submit its  
3            proposed plan and all background material to the Board of Estimates at least 2 months  
4            before the proposed effective date of the plan.]

5        **§ 28-6. [§ 28-7.] Executive Director.**

6            . . .

7        [(d) *Initial Executive Director.*]

8            [The initial Executive Director of the Authority shall be selected by the Mayor from a list  
9            developed by a joint City-Baltimoreans United in Leadership Development Search  
10            Committee.]

11        **[§ 28-8. Oversight by Board of Estimates.]**

12            [The Board of Estimates may exercise general oversight responsibility for the fiscal  
13            operations of the Authority.]

14        **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
15        are not law and may not be considered to have been enacted as a part of this or any prior  
16        Ordinance.

17        **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
18        after the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City