

CITY OF BALTIMORE
ORDINANCE 22-107
Council Bill 21-0121

Introduced by: President Mosby, Councilmembers Costello, Middleton, McCray, Conway,
Schleifer, Stokes, Ramos, Torrence, Cohen

Introduced and read first time: September 13, 2021

Assigned to: Ways and Means Committee

Committee Report: Favorable

Council action: Adopted

Read second time: November 1, 2021

AN ORDINANCE CONCERNING

American Rescue Plan Funds – Performance Oversight

FOR the purpose of requiring the Director of the Department of Finance, with input from collaborating agencies, to provide the City Council with monthly reports, quarterly briefings, equity assessments, and annual reports regarding the disbursement and management of the \$641 million in federal funding the City of Baltimore has received from the State and Local Fiscal Recovery Fund to improve transparency and accountability for the pivotal task of responding to the economic impact of the COVID-19 pandemic; and providing for the termination of this Ordinance.

BY adding

Article 5 - Finance, Property, and Procurement
Sections 49-1 through 49-2, to be under the new subtitle,
“Subtitle 49. American Rescue Plan Funds”
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 5. Finance, Property, and Procurement

SUBTITLE 49. AMERICAN RESCUE PLAN FUNDS

§ 49-1. DEFINITIONS.

(A) *IN GENERAL.*

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

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 (B) *DIRECTOR.*

2 "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF FINANCE OR THE
3 DIRECTOR'S DESIGNEE.

4 (C) *FUNDS.*

5 "FUNDS" MEANS THE \$641 MILLION BALTIMORE CITY HAS RECEIVED FROM THE STATE
6 AND LOCAL FISCAL RECOVERY FUND.

7 **§ 49-2. OVERSIGHT.**

8 (A) *IN GENERAL.*

9 IN ORDER FOR THE CITY COUNCIL TO OVERSEE THE MANAGEMENT OF THE FUNDS, THE
10 DIRECTOR, IN COLLABORATION WITH LEADERSHIP FROM OTHER CITY AGENCIES, SHALL
11 PROVIDE THE CITY COUNCIL WITH:

- 12 (1) MONTHLY REPORTS;
- 13 (2) QUARTERLY BRIEFINGS;
- 14 (3) EQUITY REPORTS; AND
- 15 (4) ANNUAL REPORTS.

16 (B) *MONTHLY REPORTS.*

17 EACH MONTHLY REPORT SHALL:

- 18 (1) PROVIDE DATA AND METRICS REGARDING HOW THE FUNDS HAVE:
 - 19 (I) INCREASED THE EFFECTIVENESS OF CITY GOVERNMENT SERVICES;
 - 20 (II) BROADENED THE REACH OF CITY GOVERNMENT SERVICES;
 - 21 (III) MADE CITY GOVERNMENT SERVICES MORE EFFICIENT; OR
 - 22 (IV) MADE CITY GOVERNMENT SERVICES MORE SUSTAINABLE; AND
- 23 (2) IDENTIFY KEY PERFORMANCE INDICATORS, BENCHMARKS, AND TARGETS RELATING
24 TO:
 - 25 (I) EQUITY, AS DEFINED IN ARTICLE 1, § 39-1 OF THE BALTIMORE CITY CODE;
 - 26 (II) POPULATION GROWTH;
 - 27 (III) LABOR AND EMPLOYMENT;

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1 (IV) ECONOMIC GROWTH, ESPECIALLY THE GROWTH OF MINORITY AND WOMEN-
2 OWNED BUSINESSES; AND

3 (V) COMMUNITY BENEFIT.

4 (C) *QUARTERLY BRIEFINGS.*

5 EACH QUARTERLY BRIEFING SHALL INCLUDE FINANCIAL DISCLOSURES REGARDING:

6 (1) MONTHLY FUNDING ALLOCATIONS;

7 (2) LIMITATIONS ON THE USE OF THE FUNDS;

8 (3) OPERATIONAL EXPENSES, INCLUDING INFORMATION REGARDING COMMUNITY
9 OUTREACH AND MARKETING AND PROMOTIONAL MATERIALS;

10 (4) THE CREATION OF GRANTS;

11 (5) PROCUREMENT PROCEDURES; AND

12 (6) DISBURSEMENT PROCEDURES.

13 (D) *ANNUAL REPORT.*

14 (1) *DEADLINE.*

15 ON OR BEFORE JUNE 30 OF EACH YEAR, THE DIRECTOR SHALL SUBMIT AN ANNUAL
16 REPORT TO THE CITY COUNCIL AND THE DIRECTOR OF THE DEPARTMENT OF
17 LEGISLATIVE REFERENCE.

18 (2) *PUBLICATION.*

19 THE CITY COUNCIL SHALL PUBLISH THE ANNUAL REPORT ONLINE FOR PUBLIC REVIEW.

20 (3) *CONTENTS.*

21 THE ANNUAL REPORT SHALL INCLUDE:

22 (I) AN ASSESSMENT OF DISBURSEMENT AND MANAGEMENT OF THE FUNDS;

23 (II) DISAGGREGATED DATA OF DISBURSEMENT RECIPIENTS;

24 (III) INEQUITIES ADDRESSED BY THE FUNDS;

25 (IV) RECOMMENDED STEPS TO ADDRESS AND RESOLVE IDENTIFIED INEQUITIES; AND

26 (V) UPDATES REGARDING COMMUNITY ENGAGEMENT.

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1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted. It shall remain effective until September 24, 2024; and, immediately
3 after that date with no further action by the Mayor and City Council, this Ordinance will be
4 abrogated and of no further effect.

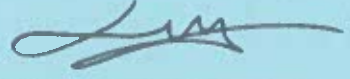
Approved for Form and Legal Sufficiency
This 10th Day of November, 2021

NOT APPROVED

Chief Solicitor

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Certified as duly passed this 01 day of November, 2021



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 01 day of November, 2021

Natasha B. Austin

Chief Clerk

Approved this _____ day of _____, 20____

Pursuant to Baltimore City Charter, Art. IV, Sec. 5(c) this bill was enacted without the Mayor's signature on Monday, January 11, 2022.

Mayor, Baltimore City