

**CITY OF BALTIMORE
COUNCIL BILL 23-0364
(First Reader)**

Introduced by: Councilmembers Cohen, Ramos, Burnett

Introduced and read first time: March 13, 2023

Assigned to: Rules and Legislative Oversight Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Office of the Mayor, Office of the Comptroller

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Baltimore City Fiscal Policy Democratization Task Force – Establishment**

3 FOR the purpose of establishing the Baltimore City Fiscal Policy Democratization Task Force;
4 providing for the composition, member terms, and organization of the Task Force; providing
5 for the staffing of the Task Force; establishing the duties of the Task Force; requiring
6 submission of a final report; requiring public listening sessions; establishing a timeline for
7 nominations to the Task Force to be submitted to the City Council; establishing a time period
8 within which the Task Force shall first convene; and providing for a special effective date.

9 BY adding

10 Article 3 - Boards and Commissions

11 Sections 2-1 to 2-8 to be under the new subtitle designation

12 “Subtitle 2. Fiscal Policy Democratization Task Force”

13 Baltimore City Code

14 (Edition 2000)

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

17 **Baltimore City Code**

18 **ARTICLE 3. BOARDS AND COMMISSIONS**

19 **SUBTITLE 1. {RESERVED}**

20 **SUBTITLE 2. FISCAL POLICY DEMOCRATIZATION TASK FORCE**

21 **§ 2-1. DEFINITIONS.**

22 (A) *IN GENERAL.*

23 IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (B) *FISCAL POLICY.*

2 “FISCAL POLICY” MEANS ALL ASPECTS OF POLICYMAKING AVAILABLE TO ELECTED
3 OFFICIALS, MUNICIPAL EMPLOYEES, AND RESIDENTS THAT MAY BE USED TO IMPACT
4 MUNICIPAL TAXATION AND SPENDING TO INFLUENCE THE ECONOMY.

5 (C) *TASK FORCE.*

6 “TASK FORCE” MEANS THE BALTIMORE CITY FISCAL POLICY DEMOCRATIZATION TASK
7 FORCE.

8 **§ 2-2. ESTABLISHMENT.**

9 THERE IS A BALTIMORE CITY FISCAL POLICY DEMOCRATIZATION TASK FORCE.

10 **§ 2-3. COMPOSITION.**

11 (A) *IN GENERAL.*

12 THE TASK FORCE COMPRISES 7 MEMBERS, 6 OF WHOM ARE APPOINTED BY THE MAYOR IN
13 ACCORDANCE WITH CITY CHARTER ARTICLE IV, § 6, AND 1 WHO IS AN EX-OFFICIO
14 MEMBER.

15 (B) *APPOINTED MEMBERS.*

16 OF THE 6 MEMBERS APPOINTED BY THE MAYOR:

17 (1) 1 MEMBER SHALL BE FACULTY AT A SCHOOL OF LAW, PUBLIC POLICY, OR PUBLIC
18 ADMINISTRATION LOCATED WITHIN THE CITY OR BALTIMORE COUNTY;

19 (2) 1 MEMBER SHALL BE A REPRESENTATIVE FROM A LABOR UNION OR FEDERATION OF
20 LABOR UNIONS THAT REPRESENTS WORKERS WHO LIVE IN THE CITY;

21 (2) 2 MEMBERS SHALL BE RECOMMENDED BY THE CITY COUNCIL PRESIDENT, OF
22 WHOM:

23 (I) 1 SHALL BE A REPRESENTATIVE FROM A NONPROFIT ORGANIZATION THAT
24 CONDUCTS RESEARCH AND ANALYSIS RELATED TO MUNICIPAL FINANCES;
25 AND

26 (II) 1 SHALL BE A REPRESENTATIVE FROM A CITY-BASED ORGANIZATION
27 REPRESENTING MINORITY- OR WOMEN-OWNED BUSINESSES IN THE CITY;
28 AND

29 (3) 2 MEMBERS SHALL BE RECOMMENDED BY THE COMPTROLLER, OF WHOM:

30 (I) 1 SHALL BE A REPRESENTATIVE FROM AN ORGANIZATION THAT ADVANCES
31 RACIAL AND ECONOMIC JUSTICE IN LOCAL GOVERNMENT; AND

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1 (II) 1 SHALL BE A REPRESENTATIVE FROM A NONPARTISAN CITY-BASED
2 NONPROFIT ORGANIZATION WHOSE WORK FOCUSES ON ECONOMIC POLICY
3 IN THE STATE.

4 (C) *EX-OFFICIO MEMBERS.*

5 THE 1 EX-OFFICIO MEMBER IS THE CHAIR OF THE ETHICS BOARD.

6 **§ 2-4. TERMS; ORGANIZATION.**

7 (A) *TERMS.*

8 MEMBERS SERVE FOR 4 YEARS, CONCURRENT WITH THE MAYOR’S TERM OF OFFICE, OR
9 UNTIL THE TASK FORCE IS DISSOLVED, WHICHEVER IS SOONER.

10 (B) *COMPENSATION.*

11 MEMBERS SERVE ON THE TASK FORCE WITHOUT COMPENSATION.

12 (C) *VACANCIES.*

13 (1) AT THE END OF A TERM, AN APPOINTED MEMBER SERVES UNTIL A SUCCESSOR IS
14 APPOINTED AND QUALIFIES.

15 (2) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES FOR THE REST OF
16 THE TERM.

17 (D) *TASK FORCE CHAIR.*

18 THE TASK FORCE SHALL ELECT 1 OF ITS MEMBERS TO SERVE AS THE TASK FORCE’S CHAIR.

19 (E) *MEETINGS; QUORUM.*

20 (1) THE TASK FORCE SHALL MEET ON THE CALL OF THE CHAIR AS FREQUENTLY AS
21 REQUIRED TO PERFORM ITS DUTIES AND AT LEAST 4 TIMES BEFORE THE FINAL REPORT
22 IS PUBLISHED AS REQUIRED UNDER § 2-7 {“FINAL REPORT”}.

23 (2) ALL MEMBERS OF THE TASK FORCE SHALL BE PRESENT TO CONSTITUTE A QUORUM.

24 (F) *DISSOLUTION.*

25 WITHOUT FURTHER ACTION TAKEN BY THE MAYOR AND CITY COUNCIL THE TASK FORCE
26 IS DISSOLVED 1 YEAR AFTER PUBLISHING ITS FINAL REPORT AS REQUIRED UNDER § 2-7
27 {“FINAL REPORT”}.

28 **§ 2-5. STAFF.**

29 THE COMPTROLLER SHALL PROVIDE STAFF AS NECESSARY TO AID THE MEMBERS IN CARRYING
30 OUT THE DUTIES OF THE TASK FORCE.

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1 **§ 2-6. POWERS AND DUTIES.**

2 (A) *IN GENERAL.*

3 THE TASK FORCE IS RESPONSIBLE FOR:

- 4 (1) REVIEWING THE FISCAL POLICY OF THE CITY;
- 5 (2) IDENTIFYING WHAT, IF ANY, ISSUES EXIST WITH THE CURRENT FORM AND
6 FUNCTION OF THE BOARD OF ESTIMATES;
- 7 (3) RESEARCHING BEST PRACTICES IN THE AREA OF MUNICIPAL FISCAL POLICY;
- 8 (4) PUBLISHING A FINAL REPORT; AND
- 9 (5) CONDUCTING COMMUNITY OUTREACH.

10 (B) *SPECIFIC DUTIES.*

11 (1) *CONTEXTUAL RESEARCH.*

12 THE TASK FORCE SHALL:

- 13 (I) CONDUCT INITIAL RESEARCH AND IDENTIFY MUNICIPALITIES WITH:
 - 14 (A) A POPULATION OF AT LEAST 300,000 PEOPLE;
 - 15 (B) AN ANNUAL BUDGET OF AT LEAST \$3 BILLION; AND
 - 16 (C) A MAYOR OR COMPARABLE CHIEF EXECUTIVE THAT HAS LESS CONTROL
17 OVER FISCAL POLICY AS COMPARED TO THE MAYOR OF BALTIMORE
18 CITY; AND
- 19 (II) SELECT AT LEAST 4 MUNICIPALITIES FROM THE INITIAL RESEARCH CONDUCTED
20 UNDER PARAGRAPH (1) OF THIS SUBSECTION AND PERFORM AN IN-DEPT REVIEW
21 OF EACH MUNICIPALITY, THAT INCLUDES:
 - 22 (A) DOCUMENTING AND ANALYZING THE LEGAL MECHANISMS BY WHICH
23 THE MUNICIPALITY MAKES FISCAL POLICY DECISIONS;
 - 24 (B) IDENTIFYING AND ANALYZING ANY KEY CHANGES MADE TO FISCAL
25 POLICY, IN THE MUNICIPALITY INCLUDING STRUCTURAL CHANGES, IN
26 THE PAST 10 YEARS; AND
 - 27 (C) FROM EACH MUNICIPALITY, INTERVIEWING AT LEAST 1 ELECTED
28 OFFICIAL SERVING FROM THE EXECUTIVE BRANCH OF GOVERNMENT
29 AND 1 ELECTED OFFICIAL FROM THE LEGISLATIVE BRANCH OF
30 GOVERNMENT.

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1 (2) *CITY SPECIFIC RESEARCH.*

2 THE TASK FORCE SHALL:

- 3 (I) REVIEW DELAYED PAYMENTS TO CITY SUPPLIERS AND THE IMPACT OF THESE
4 DELAYS ON THE DELIVERY OF CITY SERVICES;
- 5 (II) REVIEW DELAYED REIMBURSEMENTS TO CITY EMPLOYEES FOR WORK-RELATED
6 EXPENSES AND THE IMPACT OF THESE DELAYS ON THE CITY'S ABILITY TO
7 RETAIN TALENT;
- 8 (III) REVIEW DELAYED PAYMENTS OF EARNED COMPENSATION TO CITY WORKERS
9 WHO HAVE LEFT CITY SERVICE WITHIN THE PAST 5 YEARS; AND
- 10 (IV) INTERVIEW THOSE PERSONS LISTED BELOW REGARDING THE CITY'S FISCAL
11 POLICY:
- 12 (A) CITY OFFICERS AND EMPLOYEES AT 5 CITY AGENCIES THAT
13 REGULARLY MAKE SUBMISSIONS TO THE BOARD OF ESTIMATES
- 14 (B) EACH UNION WITH WHICH THE CITY CURRENTLY HAS AN AGREEMENT,
15 AS IDENTIFIED BY THE LABOR COMMISSIONER;
- 16 (C) AT LEAST 2 SUPPLIERS THAT HAVE ACTIVE CONTRACTS WITH THE CITY
17 IN AN AMOUNT EQUAL TO OR MORE THAN \$5,000, BUT LESS THAN
18 \$24,999;
- 19 (D) AT LEAST 2 SUPPLIERS THAT HAVE ACTIVE CONTRACTS WITH THE CITY
20 IN AN AMOUNT EQUAL TO OR GREATER THAN \$25,000;
- 21 (E) AT LEAST 2 NONPROFIT SERVICE PROVIDERS THAT HAVE ACTIVE
22 CONTRACTS WITH THE CITY; AND
- 23 (F) AT LEAST 2 COMMUNITY-BASED ORGANIZATIONS THAT ENGAGE IN
24 ADVOCACY RELATING TO CITY FISCAL POLICY.

25 (3) *FINAL REPORT.*

26 THE TASK FORCE SHALL PREPARE A FINAL REPORT AND PRESENT THE TASK FORCE'S
27 FINDINGS TO:

- 28 (I) THE MAYOR;
- 29 (II) THE COMPTROLLER;
- 30 (III) THE CITY COUNCIL; AND
- 31 (IV) THE CITY ADMINISTRATOR.

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1 **§ 2-7. FINAL REPORT.**

2 (A) *IN GENERAL.*

3 ON OR BEFORE DECEMBER 1, 2023, THE TASK FORCE SHALL SUBMIT A FINAL REPORT TO
4 THE MAYOR, THE COMPTROLLER, THE CITY COUNCIL, AND THE CITY ADMINISTRATOR
5 DETAILING THE FINDINGS FROM THE PERFORMANCE OF THE TASK FORCE’S DUTIES
6 SPECIFIED UNDER § 2-6 {“POWERS AND DUTIES”} OF THIS SUBTITLE.

7 (B) *CONTENTS.*

8 IN ADDITION TO THOSE REQUIREMENTS UNDER SUBSECTION (A) OF THIS SECTION THE
9 FINAL REPORT SHALL INCLUDE:

10 (I) A PROPOSAL DETAILING 3 POSSIBLE ALTERNATIVES FOR THE COMPOSITION,
11 STRUCTURE, AND OPERATION OF A FISCAL POLICYMAKING BODY, OF WHICH;

12 (A) AT LEAST 1 ALTERNATIVE SHALL INCLUDE A BOARD OF ESTIMATES WITH
13 CHANGES IN ITS COMPOSITION; AND

14 (B) AT LEAST 1 ALTERNATIVE SHALL ASSUME THE DISSOLUTION OF THE BOARD
15 OF ESTIMATES AND SHALL REASSIGN THE BOARD OF ESTIMATES’ POWERS
16 AND DUTIES;

17 (II) TRANSITION PLANS IDENTIFYING THE LEGAL PROCESS AND SHORTEST FEASIBLE
18 TIMELINE FOR ADOPTING EACH OF THE 3 PROPOSED ALTERNATIVE FISCAL POLICY
19 MODELS; AND

20 (III) RECOMMENDATIONS FOR CHANGES TO RULES AND REGULATIONS PROMULGATED
21 BY THE BOARD OF ESTIMATES TO IMPROVE ACCOUNTABILITY AND OVERSIGHT OF
22 THE BOARD OF ESTIMATES.

23 **§ 2-8. COMMUNITY ENGAGEMENT.**

24 (A) *IN GENERAL.*

25 WITHIN 60 DAYS OF PUBLISHING THE FINAL REPORT THE TASK FORCE SHALL CONDUCT AT
26 LEAST 3 PUBLIC LISTENING SESSIONS AND SOLICIT FEEDBACK FROM INDIVIDUALS ON THE 3
27 POSSIBLE ALTERNATIVES FOR THE COMPOSITION, STRUCTURE, AND OPERATION OF A
28 FISCAL POLICYMAKING BODY.

29 (B) *LISTENING SESSION ACCESSIBILITY.*

30 IN ADDITION TO THOSE REQUIREMENTS UNDER SUBSECTION (A) OF THIS SECTION:

31 (1) 1 OF THE 3 LISTENING SESSIONS SHALL TAKE PLACE AT BALTIMORE CITY HALL
32 AND SHALL BE OFFERED IN A HYBRID FORMAT WHEREIN AN INDIVIDUAL MAY
33 PARTICIPATE EITHER BY ATTENDING IN-PERSON OR BY ATTENDING VIRTUALLY;

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1 (2) THE OTHER 2 LISTENING SESSIONS SHALL TAKE PLACE IN TRANSPORTATION EQUITY
2 PRIORITY ZONES, AS DEFINED BY THE DEPARTMENT OF TRANSPORTATION;

3 (3) ALL LISTENING SESSIONS SHALL PROVIDE LIVE INTERPRETATION IN SPANISH AND
4 AMERICAN SIGN LANGUAGE, WITH FUNDING PROVIDED BY THE OFFICE OF THE
5 CITY COUNCIL PRESIDENT; AND

6 (4) ALL LISTENING SESSIONS SHALL TAKE PLACE IN BUILDINGS THAT ARE IN
7 COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT.

8 (C) *LISTENING SESSION DOCUMENTATION.*

9 MEETING MINUTES AND VIDEO AND AUDIO RECORDINGS OF EACH LISTENING SESSION
10 SHALL BE SUBMITTED TO THE MAYOR, CITY COUNCIL PRESIDENT, COMPTROLLER, AND
11 EACH MEMBER OF THE CITY COUNCIL WITHIN 5 BUSINESS DAYS OF EACH SESSION.

12 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Baltimore City Fiscal Policy
13 Democratization Task Force shall first convene within 60 days of the enactment of this
14 Ordinance.

15 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Mayor, the City Council President,
16 and the Comptroller shall submit their nominations to the Task Force to the City Council within
17 30 days of the enactment of this Ordinance.

18 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
19 enacted.