

Introduced by: The Council President

At the request of: The Administration (Minority and Women's Business Opportunity Office)

Prepared by: Department of Legislative Reference

Date: February 20, 2019

Referred to: TAXATION, FINANCE & ECONOMIC DEVELOPMENT Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 19-0343

A BILL ENTITLED

AN ORDINANCE concerning

Minority and Women's Business Program – Interim Extension

FOR the purpose of postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to City procurement requirements.

BY repealing and reordaining, without amendments

Article 5 - Finance, Property, and Procurement
Section 28-3(a)(1)(iv)
Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article 5 - Finance, Property, and Procurement
Section 28-5
Baltimore City Code
(Edition 2000)

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

<input type="checkbox"/>	Baltimore City Public School System	<input checked="" type="checkbox"/>	Department of Public Works
<input checked="" type="checkbox"/>	Baltimore Development Corporation	<input checked="" type="checkbox"/>	Department of Real Estate
<input checked="" type="checkbox"/>	City Solicitor	<input type="checkbox"/>	Department of Recreation and Parks
<input type="checkbox"/>	Comptroller's Office	<input type="checkbox"/>	Department of Transportation
<input type="checkbox"/>	Department of Audits	<input type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	Department of Finance	<input type="checkbox"/>	Health Department
<input type="checkbox"/>	Department of General Services	<input checked="" type="checkbox"/>	Mayor's Office of Employment Development
<input type="checkbox"/>	Department of Housing and Community Development	<input type="checkbox"/>	Mayor's Office of Human Services
<input type="checkbox"/>	Department of Human Resources	<input type="checkbox"/>	Mayor's Office of Information Technology
<input type="checkbox"/>	Department of Planning	<input type="checkbox"/>	Office of the Mayor
<input checked="" type="checkbox"/>	Other: <i>Minority & Women's Business Opportunity office</i>	<input type="checkbox"/>	Police Department
<input checked="" type="checkbox"/>	Other: <i>Minority & Women's Business Development office</i>	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:

Boards and Commissions

<input type="checkbox"/>	Board of Estimates	<input type="checkbox"/>	Environmental Control Board
<input type="checkbox"/>	Board of Ethics	<input type="checkbox"/>	Fire & Police Employees' Retirement System
<input type="checkbox"/>	Board of Municipal and Zoning Appeals	<input type="checkbox"/>	Labor Commissioner
<input type="checkbox"/>	Comm. for Historical and Architectural Preservation	<input type="checkbox"/>	Parking Authority Board
<input type="checkbox"/>	Commission on Sustainability	<input type="checkbox"/>	Planning Commission
<input type="checkbox"/>	Employees' Retirement System	<input type="checkbox"/>	Wage Commission
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:

CITY OF BALTIMORE
ORDINANCE **19-269**
Council Bill 19-0343

Introduced by: The Council President
At the request of: The Administration (Minority and Women's Business Opportunity Office)
Introduced and read first time: February 25, 2019

Committee Report: Favorable
Council action: Adopted
Read second time: June 17, 2019

AN ORDINANCE CONCERNING

Minority and Women's Business Program – Interim Extension

FOR the purpose of postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to City procurement requirements.

BY repealing and reordaining, without amendments
Article 5 - Finance, Property, and Procurement
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Baltimore City Code
(Edition 2000)

BY repealing and reordaining, with amendments
Article 5 - Finance, Property, and Procurement
Section 28-5
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 28. Minority and Women's Business Enterprises;
Small Local Business Enterprises**

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.

Council Bill 19-0343

1 **§ 28-3. Legislative findings and policy.**

2 (a) *Findings.*

3 (1) The Mayor and City Council makes the findings contained in this subsection, on full
4 consideration of:

5 ...
6 (iv) the extensive findings of the 2014 Disparity Study, “The State of Minority
7 And Women-Owned Business Enterprise: Evidence from Baltimore”;
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9 **§ 28-5. Automatic termination.**

10 This subtitle automatically expires on [July 30, 2019,] AUGUST 31, 2020, unless the City
11 Council, after causing an appropriate study to be undertaken, conducting public hearings, and
12 hearing testimonial evidence, finds that the purposes identified in this subtitle have not yet
13 been achieved, in which case this subtitle may be extended for 5 more years.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council finds that the
15 existing disparity study remains a valid factual predicate for the Minority and Women’s Business
16 Program and provides sufficient legal justification for continuing the Program during the interim
17 extension period enacted by this Ordinance.

18 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
19 are not law and may not be considered to have been enacted as a part of this or any prior
20 Ordinance.

21 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect when it is
22 enacted.

Council Bill 19-0343

JUN 24 2019

Certified as duly passed this _____ day of _____, 20__

Breaker

President, Baltimore City Council

Certified as duly delivered to his Honor, the Mayor,

JUN 24 2019

this _____ day of _____, 20__

Ch. John
Chief Clerk

Approved this 26th day of June, 2019

B. D. [Signature]
Mayor, Baltimore City

Approved For Form and Legal Sufficiency

This 25th day of June 2019

[Signature]
Chief Solicitor

BALTIMORE CITY COUNCIL TAXATION, FINANCE AND ECONOMIC DEVELOPMENT VOTING RECORD

DATE: June 13, 2019

BILL#: 19-0343

BILL TITLE: Minority and Women's Business Program – Interim Extension

MOTION BY: Costello SECONDED BY: Pinkett


- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Middleton, Sharon, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reisinger, Edward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	5	0		

CHAIRPERSON: Sharon Middleton

COMMITTEE STAFF: Samuel Johnson, Initials: _____

QAC

FROM	NAME & TITLE	Robert Cenname, Chief	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432. Citv Hall (410) 396-4941		
	SUBJECT	City Council Bill #19-0343 – Minority and Women’s Business Program– Interim Extension		

DATE:

TO

The Honorable President and
 Members of the City Council
 Room 400, City Hall

March 15, 2019

City Council Bill #19-0343 has been introduced for the purpose of extending the City’s Minority and Women’s Business Enterprise program by another year. Section 28-5 of Article 5 of the City Code would be amended to reflect an expiration date of August 31, 2020.

Back Ground

Housed in the Law Department, the Minority and Women’s Business Opportunity Office (MWBOO) is responsible for certification of Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs), maintaining a directory of certified businesses, investigating alleged violations of the MWBE ordinance, maintaining statistics on availability and utilization of MBEs and WBEs, setting annual participation goals, setting contract participation goals on a contract by contract basis, setting participation goals on City-assisted projects, and providing assistance to bidders and developers in identifying MBE/WBE firms.

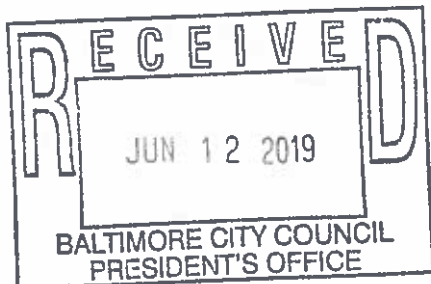
Impact/ Analysis

In the City budget, MWBOO is a service within the Law Department. The Fiscal 2019 General Fund appropriation is \$747,855. This bill has no fiscal impact.

Conclusion

The Department of Finance has no objection to the passage of Council Bill 19-0343.

cc: Henry Raymond
 Kyron Banks



no obj

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

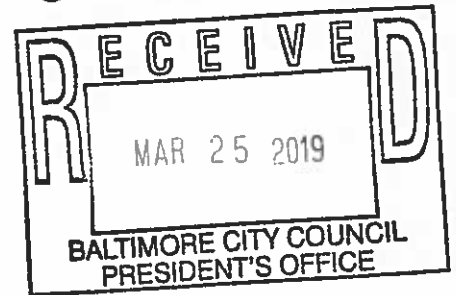


MINORITY AND WOMEN'S BUSINESS
OPPORTUNITY OFFICE

Room 101, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202
Phone: 410-396-4355
Fax: 410-396-1457

Comments

March 25, 2019



The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Rom 409, City Hall
100 Holliday Street
Baltimore, MD 02

Re: City Council Bill 19-0343 – Minority and Women's Business Program – Interim
Extension

Dear President and City Council Members:

The Minority and Women's Business Opportunity Office (MWBOO) has reviewed City Council Bill 19-0343. The bill would extend the Minority and Women's Business Program for 18 months, from July 30, 2019.

This extension will allow the M/WBE Program to award a contract to conduct the required disparity study and for a thorough study to be completed. The completed disparity study will determine if there are legal grounds to continue a race-conscious program. In addition, the study will compile and evaluate statistical evidence to determine the presence of business discrimination against Disability-Owned Business Enterprises (DOBE), Veteran Business Enterprises (VBE) and Lesbian, Gay, Bisexual, Transgender, and Queer –Owned Business Enterprises (LGBTQBE).

The Minority and Women's Business Opportunity Office believes that the extension is in the best interest of the City's overall economic health.

Sincerely,

A handwritten signature in black ink, appearing to be "T. Brown", written over a horizontal line.

Tamara Brown
Acting Chief

cc: Andre M. Davis, City Solicitor
Dana Moore, Deputy Solicitor
Karen Stokes, Mayor's Office of Government Relations
Jeffrey Amoros, Mayor's Office of Government Relations
Elena, DiPietro, Chief Solicitor

CITY OF BALTIMORE

CATHERINE E PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor
101 City Hall
Baltimore, Maryland 21202

March 6, 2019

**The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202**

**Re: City Council Bill 19-0343 – Minority and Women’s Business Program–
Interim Extension**

Dear President and City Council Members:

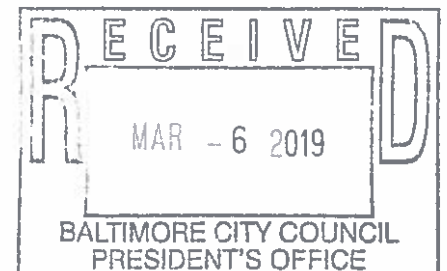
The Law Department has reviewed City Council Bill 19-0343 for form and legal sufficiency. The bill would extend the existence of the City’s Minority and Women’s Business Enterprise program by several months. It does so by changing the date listed in Section 28-5 of Article 5 of the City Code.

As there are no legal impediments to this bill, the Law Department approves it for form and legal sufficiency.

Very truly yours,

**Hilary Ruley
Chief Solicitor**

cc: **Andre M. Davis, City Solicitor
Karen Stokes, Mayor’s Office of Government Relations
Jeffrey Amoros, Mayor’s Office of Government Relations
Elena DiPietro, Chief Solicitor
Victor Terval, Chief Solicitor
Ashlea Brown, Assistant Solicitor**



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



**MAYOR'S OFFICE OF
EMPLOYMENT DEVELOPMENT**

JASON PERKINS-COHEN, Director
417 E. Fayette Street, Suite 468
Baltimore, Maryland 21202

April 5, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holiday Street
Baltimore, Maryland 21202

Re: City Council Bill 19-0343- Minority and Women's Business Program Interim Extension

Dear President and City Council Members:

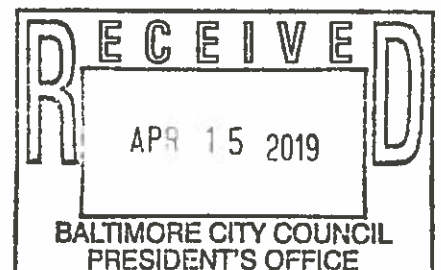
The Mayor's Office of Employment Development (MOED) has reviewed City Council Bill 19-0343. MOED acknowledges that the intent of this bill is to extend the Baltimore City Minority and Women-Owned Business Enterprise (M/WBE) program for an interim period.

The Baltimore City M/WBE program is important for local hiring, particularly in communities of color. Studies have found that minority businesses are more likely to hire minority employees than non-minority owned businesses. Additionally, eligibility requirements of the program promote local hiring. Firms must be located within the Baltimore City market area and are limited to small business size standards. Local businesses are more likely to hire local employees. Additionally, small businesses have historically generated the majority of net new jobs.

The Baltimore City M/WBE program has a positive impact on local hiring and job creation for Baltimore City residents. Therefore, the Mayor's Office of Employment Development supports City Council Bill 19-0343.

Sincerely,


Jason Perkins-Cohen
Director



Cc: Mackenzie Garvin, Director of Workforce Development Projects

F

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Taxation, Finance and Economic Development Committee

Thursday, June 13, 2019

10:00 AM

Du Burns Council Chamber, 4th floor, City Hall

19-0343

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 5 - Member Sharon Green Middleton, Member Leon F. Pinkett III, Member Eric T. Costello, Member Edward Reisinger, and Member Robert Stokes Sr.

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0343

Minority and Women's Business Program - Interim Extension

For the purpose of postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to City procurement requirements.

Sponsors: City Council President (Administration)

A motion was made by Member Costello, seconded by Member Pinkett, III, that Bill 19-0343 be Recommended Favorably. The motion carried by the following vote:

Yes: 5 - Member Middleton, Member Pinkett III, Member Costello, Member Reisinger, and Member Stokes Sr.

ADJOURNMENT



HEARING NOTES

Bill: 19-0343

Minority and Women's Business Program – Interim Extension

Committee: Taxation, Finance and Economic Development

Chaired By: Councilmember Sharon Green-Middleton

Hearing Date: June 13, 2019

Time (Beginning): 10:03 a.m.

Time (Ending): 10:34 a.m.

Location: Clarence "Du" Burns Chambers

Total Attendance: Approximately

Committee Members in Attendance:

Sharon Green Middleton

Eric Costello

Edward Reisinger

Robert Stokes

Leon Pinkett

Bill Synopsis in the file?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Attendance sheet in the file?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Agency reports read?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Hearing televised or audio-digitally recorded?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A
Certification of advertising/posting notices in the file?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
Evidence of notification to property owners?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
Final vote taken at this hearing?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A
Motioned by:	Councilmember Costello		
Seconded by:	Councilmember Pinkett		
Final Vote:	Favorable		

Major Speakers

(This is not an attendance record.)

- Tamara Brown, Minority and Women's Business Opportunity Office
- Hilary Ruley, Law Department
- Bob Cenneme, Department of Finance

Major Issues Discussed

1. Councilwoman Middleton read the bill into the record and introduced committee members.
2. Bob Cenname, Finance – Read agency report into the record.
3. Hilary Ruley, Law – Read agency report into the record.
4. Tamara Brown – Offered Comments:
 - 70% of the City’s contracts go to non-MWBE companies
 - 28% of the City’s contracts go to MWBE companies
 - There is a 30 – 45-day window where the city is suppose to pay the prime contractors but the target is rarely met. A number of agencies have convened a Prompt Payments Committee where they meet quarterly with CitiStat staff to review data and track payment processing time.
 - The Minority and Women’s Business Opportunity Office has legislative authority under Article 5 to enforce penalties against prime contractors that are not paying sub-contractors in a timely fashion.
 - There office is responsible for monitoring all contracts over \$50,000, which are required to go before the Board of Estimates.
5. Committee Request:
 - Councilwoman Middleton requested a copy of the information presented about the percentages of city contracts that go to MWBE and non-MWBE companies.
 - Councilman Pinkett requested a copy of the last 10 years of percentages for MWBE goals.
 - Councilman Stokes requested information from the Prompt Payments Committee on what steps are being taken to fix the late payment problem.
6. There was no public testimony.
7. There were approximately 15 – 20 people in attendance at this hearing.

Further Study

Was further study requested?

Yes No

If yes, describe. N/A

Committee Vote:

S. Middleton:	Yea
L. Pinkett:	Yea
E. Costello:	Yea
E. Reisinger:	Yea
R. Stokes:.....	Yea

Samuel Johnson , Committee Staff
(410) 396-1091

Date: June 13, 2019

cc: Bill File
OCS Chrono File

TFED – Hearing Notes Bill 19-0343

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Taxation, Finance and Economic Development Committee

Thursday, June 13, 2019

10:00 AM

Du Burns Council Chamber, 4th floor, City Hall

19-0343

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19-0343

Minority and Women's Business Program - Interim Extension
For the purpose of postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to City procurement requirements.

Sponsors:

City Council President (Administration)

Attachments:

19-0343--1st Reader

Law 19-0343

MWBOO 19-0343

MOED 19-0343

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



BALTIMORE CITY COUNCIL TAXATION, FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Taxation, Finance and Economic Development Committee of the Baltimore City Council is to legislate policy that will deter unnecessary tax burdens while seeking and supporting projects and initiatives that will generate and increase our tax base. Reviewing and considering financing tools that impact the retention and sustainability of our economic base is essential. Introducing and enhancing legislation that perpetuates equal access to economic development for African Americans/Minorities/Women and other members of our community that will result in an improved quality of life for all citizens of Baltimore is a critical component of Baltimore's success.

**The Honorable Sharon Green Middleton
Chairwoman**

PUBLIC HEARING

**Thursday, June 13, 2019
10:00 AM**

CLARENCE "DU" BURNS COUNCIL CHAMBERS

**Bill 19-0343
Minority and Women's Business Program –
Interim Extension**

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Currin

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: Matthew Peters

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac "Yitzy" Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: Matthew Peters

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Samuel Johnson

LAND USE AND TRANSPORTATION

Edward Reisinger – Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Samuel Johnson
- Larry Greene (*pension only*)

CITY OF BALTIMORE

CATHERINE F. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410 545 7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Taxation, Finance and Economic Development

Bill 19-0343

Minority and Women's Business Program – Interim Extension

Sponsor: *The Council President*

Introduced: *February 25, 2019*

Purpose:

For the purpose of postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to City procurement requirements.

Effective: On the date of enactment

Hearing Date/Time/Location: June 13, 2019 / 10:00 a.m. / Clarence "Du" Burns Chamber

Agency Reports

Dept. of Finance	
Baltimore Development Corporation	
Mayor's Office of Employment Development	Favorable
MWBOO - Law	Favorable
Department of Law	Favorable
MWOBD - Mayor's Office	



Analysis

Current Law:

Article V – Finance, Property, and Procurement; Section 28-5; Baltimore City Code (Edition 2000)

Background

In 2014, the City of Baltimore commissioned NERA Economic Consulting to conduct a study to evaluate: The State of Minority- and Women-Owned Business Enterprise: Evidence from Baltimore. The study's purpose was to investigate whether business enterprises in the City's market area had a full and fair opportunity to compete for prime and associated subcontracts. Data analysis was conducted in the study and it found evidence consistent with the presence of business discrimination against Minority and Women's Business Enterprises. The report also provides a detailed analysis that the City's own contracting and purchasing process contained documented evidence of business discrimination.

In Article V – Section 28:3, one of the objectives of this study and subsequent legislation was to provide remedies to address the effects of past discrimination by setting MWBE goals, instituting race and gender equity into the MBE/WBE Program, and providing criminal penalties for fraudulent misuse of this subtitle.

Article V – Section 28:5 is set to expire on July 30, 2019, if this bill is enacted it would extend the automatic termination period until August 31, 2020. By extending the automatic termination period this will allow for the Minority and Women's Business Enterprise Program to award a contract to conduct a disparity study to determine if there are legal grounds to continue a race-conscious program.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports, NERA Economic Consulting

Analysis by: Samuel Johnson
Analysis Date: June 13, 2019

Direct Inquiries to: (410) 396-1091

**CITY OF BALTIMORE
COUNCIL BILL 19-0343
(First Reader)**

Introduced by: The Council President

At the request of: The Administration (Minority and Women's Business Opportunity Office)

Introduced and read first time: February 25, 2019

Assigned to: Taxation, Finance and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Minority and Women's Business Opportunity Office, Baltimore Development Corporation, Mayor's Office of Employment Development, Department of Finance, Mayor's Office of Minority and Women-Owned Business Development

A BILL ENTITLED

1 AN ORDINANCE concerning

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15 (Edition 2000)

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20 **Subtitle 28. Minority and Women's Business Enterprises;**
21 **Small Local Business Enterprises**

EXPLANATION: CAPITALS indicate matter added to existing law.
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Council Bill 19-0343

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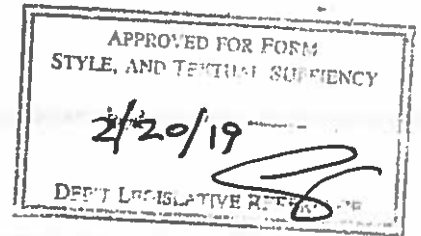
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INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: The Council President
At the request of: The Administration (Minority and Women's Business Opportunity Office)

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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 28. Minority and Women's Business Enterprises;
Small Local Business Enterprises**

§ 28-3. Legislative findings and policy.

(a) *Findings.*

(1) The Mayor and City Council makes the findings contained in this subsection, on full consideration of:

...

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

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(iv) the extensive findings of the 2014 Disparity Study, “The State of Minority and Women-Owned Business Enterprise: Evidence from Baltimore”;

§ 28-5. Automatic termination.

This subtitle automatically expires on [July 30, 2019,] AUGUST 31, 2020, unless the City Council, after causing an appropriate study to be undertaken, conducting public hearings, and hearing testimonial evidence, finds that the purposes identified in this subtitle have not yet been achieved, in which case this subtitle may be extended for 5 more years.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Mayor and City Council finds that the existing disparity study remains a valid factual predicate for the Minority and Women’s Business Program and provides sufficient legal justification for continuing the Program during the interim extension period enacted by this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect when it is enacted.

ACTION BY THE CITY COUNCIL

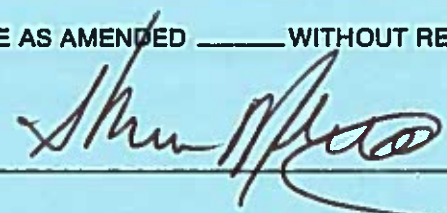
FEB 25 2019

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON June 13 _____ 20 19

COMMITTEE REPORT AS OF June 13 _____ 20 19

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION



Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

JUN 17 2019

_____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ **JUN 24 2019** 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk