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**BALTIMORE CITY COUNCIL  
WAYS AND MEANS  
COMMITTEE**

*Mission Statement*

*The Committee on Ways and Means (WM)* is responsible for ensuring taxpayer dollars are expended prudently and equitably. WM will exercise regular oversight of the City's budget, expenditures, loans, and other financial matters. The committee's areas of jurisdiction include: budget & appropriations, taxation, financial services, consumer protection, audits, and the Comptroller's Office.

**The Honorable Eric T. Costello  
Chairman**

**PUBLIC HEARING**

**TUESDAY, OCTOBER 26, 2021  
9:59 AM**

**VIRTUAL WEBEX MEETING**

*Council Bill 21-0121*

**American Rescue Plan Funds – Performance Oversight**

## CITY COUNCIL COMMITTEES

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John Bullock – Vice Chair  
Mark Conway  
Ryan Dorsey  
Antonio Glover  
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Isaac “Yitzy” Schleifer  
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Kristerfer Burnett  
Mark Conway  
Eric Costello  
Sharon Green Middleton  
Odette Ramos  
James Torrence  
*Staff: Richard Krummerich*



## BILL SYNOPSIS

Committee: Ways and Means

Bill: 21-0121

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### American Rescue Plan Funds - Performance Oversight

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**Sponsor:** President Nicholas Mosby, et al

**Introduced:** September 13, 2021

**Purpose:**

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.

**Effective:** Takes effect on the 30<sup>th</sup> day after the date it is enacted. It shall remain effective until **September 24, 2024.**

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### Agency Reports

Law Department	None as of this writing
Department of Finance	None as of this writing
City Administrator	None as of this writing
Mayor's Office of Recovery Programs	None as of this writing
Board of Municipal and Zoning Appeals	Defers to Planning

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### Analysis

#### Current Law

**Baltimore City Code – Article 5 – Finance, Property, and Procurement**

## Background

This hearing will be the first of many to come pertaining to Council Bill 21-0121, which calls for city agencies to come together to discussed and review equity assessment and data analysis of plans for the allocation of \$641 million that the City received for the American Rescue Plan Funds.

*Also, see attached news article dated September 13, 2021*

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## Additional Information

**Fiscal Note:** None

**Information Source(s):** City Code, Council Bill 21-0121, and all agency reports received as of this writing.

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*Marguerite M. Currin*  
Analysis by: Marguerite M. Currin  
Analysis Date: October 25, 2021

Direct Inquiries to: (443) 984-3485

## Baltimore Opens Access to American Rescue Plan Act Funds to Local

By [CBS Baltimore Staff](#)

September 13, 2021 at 3:26 pm

**BALTIMORE (WJZ)** — Baltimore is calling on local nonprofits to submit proposals for some of the city's \$641 million in American Rescue Plan funds, Mayor Brandon Scott said on Monday.

**Starting Oct. 1**, nonprofit organizations can submit their proposals through a portal on the [website](#) of the Mayor's Office of Recovery Programs.

**A seven-member team** will review proposals and help organizations with developing a budget, designing a program, meeting federal reporting requirements and other steps, Scott said.

A team of advisors will score proposals before sending them to Scott's office.

“Proposals where equity and partnership are central tenets of the project will be scored the highest,” Scott [said in a video announcement](#).

The Mayor's Office of Recovery Programs will hold a virtual information session on the application process on **Sept. 28**.

City agencies were given a similar opportunity to submit proposals for the relief money.

The mayor also outlined some of his administration's priorities for the federal money, including community-based violence-reduction initiatives, a recovery fund for small businesses and expanded broadband access. City officials will provide more details about these initiatives during a series of announcements in September and October, Scott said.

“\$641 million is a significant investment,” Scott said. But in a city like Baltimore, with deep, systematic challenges, even before the pandemic, we must be strategic and targeted in our approach—with an eye toward making a definitive, measured impact on our city through a lens of equity.”

Shortly after Scott's video message was posted, City Council President Nick Mosby announced plans to introduce legislation Monday night calling for quarterly oversight hearings and an ongoing equity assessment and data analysis of plans for the \$641 million.

“With this level of investment over such a short period of time, we can truly undo some of the deliberate damage in our city created by longstanding structural inequity,” Mosby said in a statement. “It is in a crisis when our values are tested the most. And in this crisis, we get to choose whether we will be guided by the data, driven by equity and propelled to put aside conventional solutions.”

# **Council Bill: 21-0121**

## **AGENCY REPORT**

**SEE ATTACHED**

**CITY OF BALTIMORE**

BRANDON M. SCOTT, Mayor



**BOARD OF MUNICIPAL AND  
ZONING APPEALS**

417 E. Fayette Street, Suite 922  
Baltimore, Maryland 21202

September 23, 2021

The Honorable President and  
Members of the City Council  
City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

**Re: CC Bill #21-0121 – American Rescue Plan Funds- Performance Oversight**

Ladies and Gentlemen:

City Council Bill No. 21-0121 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 21-0121 is to require 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.

The BMZA is deferring its recommendation on the legislation to that of the report and recommendation of the Planning Commission.

Sincerely,

*Kathleen Byrne*

Kathleen Byrne  
Acting Executive Director

CC: Mayor's Office of Council Relations  
City Council President  
Legislative Reference





**CITY OF BALTIMORE  
COUNCIL BILL 21-0121  
(First Reader)**

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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

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, City  
Administrator, Mayor's Office of Recovery Programs

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **American Rescue Plan Funds – Performance Oversight**

3 FOR the purpose of requiring the Director of the Department of Finance, with input from  
4 collaborating agencies, to provide the City Council with monthly reports, quarterly briefings,  
5 equity assessments, and annual reports regarding the disbursement and management of the  
6 \$641 million in federal funding the City of Baltimore has received from the State and Local  
7 Fiscal Recovery Fund to improve transparency and accountability for the pivotal task of  
8 responding to the economic impact of the COVID-19 pandemic; and providing for the  
9 termination of this Ordinance.

10 BY adding

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

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

18 **Baltimore City Code**

19 **Article 5. Finance, Property, and Procurement**

20 **SUBTITLE 49. AMERICAN RESCUE PLAN FUNDS**

21 **§ 49-1. DEFINITIONS.**

22 (A) *IN GENERAL.*

23 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.

**Council Bill 21-0121**

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;

**Council Bill 21-0121**

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.

## Council Bill 21-0121

1       **SECTION 2. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30<sup>th</sup> 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.