Committee

Introduced by: The Council President

At the request of: The Administration (Parking Authority)

Prepared by: Department of Legislative Reference Date: May 8, 2018

Referred to: TAXATON FNANCE & ECONOMIC DEVELOPMENT Committee

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

CITY COUNCIL 18 - 0238

#### A BILL ENTITLED

AN ORDINANCE concerning

#### **Baltimore City Parking Authority – Contracts**

FOR the purpose of modifying the contract-expenditure threshold that requires approval of a Parking Authority contract by the Board of Estimates.

By repealing and reordaining, with amendments Article 31 - Transit and Traffic Section 13-4(h) Baltimore City Code (Edition 2000)

<sup>\*\*</sup>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**

Other:	
	Other:
Other:	Other:
Оірет:	Other:
Halschand 3ga v	
поissimmo Эgв W	Employees' Retirement System
noissimmo Saninnal4	Commission on Sustainability
Parking Authority Board	Comm. for Historical and Architectural Preservation
Labor Commissioner	- Soard Of Municipal and Zoning Appeals
Fire & Police Employees' Retirement System	Board of Ethics
Environmental Control Board	Board of Estimates
snoissimm	Boards and Co.
Other:	Other:
Other:	
4,0	Other:
Police Department	Other:
Office of the Mayor	Department of Planning
Mayor's Office of Information Technology	Department of Human Resources
Mayor's Office of Human Services	Department of Housing and Community Development
Mayor's Office of Employment Development	Department of General Services
Health Department	Department of Finance
tnemtraged evil	Department of Audits
Department of Transportation	Comptroller's Office
Department of Recreation and Parks	City Solicitor
Department of Real Estate	Baltimore Development Corporation
Department of Public Works	Baltimore City Public School System

# CITY OF BALTIMORE ORDINANCE 18 · 208 Council Bill 18-0238

Introduced by: The Council President

At the request of: The Administration (Parking Authority)

Introduced and read first time: May 14, 2018

Assigned to: Taxation, Finance and Economic Development Committee

Committee Report: Favorable Council action: Adopted

Read second time: November 19, 2018

#### AN ORDINANCE CONCERNING

1	Baltimore City Parking Authority – Contracts
2 3	FOR the purpose of modifying the contract-expenditure threshold that requires approval of a Parking Authority contract by the Board of Estimates.
4 5 6 7 8	By repealing and reordaining, with amendments Article 31 - Transit and Traffic Section 13-4(h) Baltimore City Code (Edition 2000)
9 10	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:
1.1	Baltimore City Code
12	Article 31. Transit and Traffic
13	Subtitle 13. Baltimore City Parking Authority
14	§ 13-4. General powers.
15	(h) Contracts.
16 17	(1) The [authority] AUTHORITY may enter into contracts necessary or convenient to the exercise of its powers.
18	(2) The Authority's contracts are not subject to Article VI, § 11 of the City Charter.
19 20	(3) However, any contract involving an expenditure of [\$10,000] \$25,000 or more is subject to the approval of the Board of Estimates

EXPLANATION: CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates matter added to the bill by amendment.

<u>Strike out</u> indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

# Council Bill 18-0238

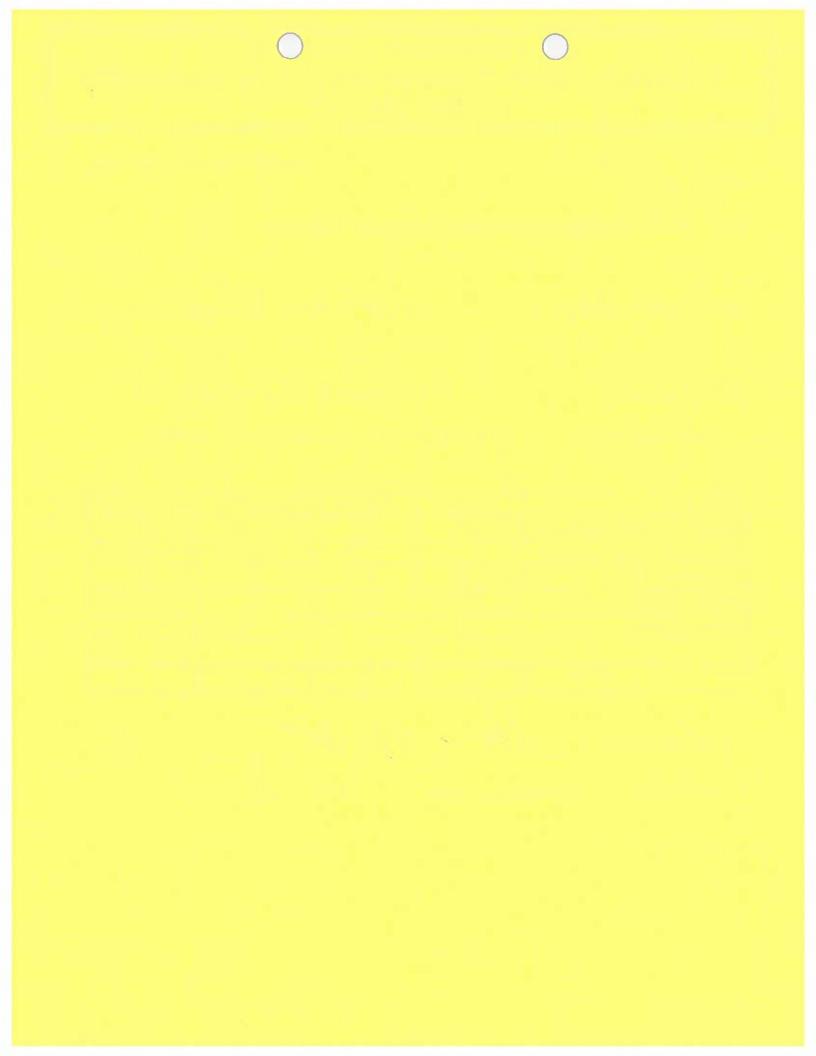
1 2 3	SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.
4	SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30 <sup>th</sup> day after the date it is enacted.
	Certified as duly passed this day of
	Certified as duly delivered to Her Honor, the Mayor,
	thisday of
	Approved this 13 day of December, 2018
	Mayor, Baltimore City
	Approved For Form and Legal Sufficiency This

# B. LTIMORE CITY COULCIL TAXATION, FINANCE AND ECONOMIC DEVELOPMENT **VOTING RECORD**

DATE: November 8, 2018

BILL#: 18-0238

BILL TITLE: Baltimore Cit	y Parking Au	thority - Con	<u>tracts</u>	***************************************
MOTION BY: Stokes	SE	CONDED BY	y: <u>Leising</u>	<u>er</u>
FAVORABLE  UNFAVORABLE			ITH AMEND	
NAME	YEAS	NAYS	ABSENT	ABSTAIN
Middleton, Sharon, Chair				
Pinkett, Leon, Vice Chair				
Costello, Eric				8
Reisinger, Edward				
Stokes, Robert				
				340
TOTALS	4	0		
CHAIRPERSON:				



#### TRANSMITTAL MEMO

TO:

Council President Bernard "Jack" Young

FROM:

Peter Little, Executive Director

DATE:

June 4, 2018

RE:

Council Bill 18-0238

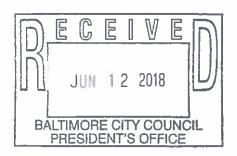


I am herein reporting on City Council Bill 18-0238, introduced by the Council President.

The purpose of this bill is modifying the contract-expenditure threshold that requires approval of a Parking Authority contract by the Board of Estimates.

The Parking Authority believes that this proposed change to the PABC's enabling City Code will be beneficial to the City by reducing the effort of the offices of the Mayor. City Council President, and Comptroller by processing roughly two dozen fewer Parking Authority contracts per year for the Board of Estimates. The Parking Authority has an internal procurement policy, the oversight of its own Board of Directors, and is audited annually by an independent auditing firm to ensure that contracts are reasonable, competitive and compliant with policy. The Parking Authority is seeking the same contract-expenditure threshold that is currently applied to all City agencies. Therefore, the Parking Authority of Baltimore City supports the passage of City Council Bill 18-0223.

Commable





-	NAME &	Robert Cenname, Chief	CITY of	0
20 2	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432. City Hall (410) 396-4941	BALTIMORE	CITY OF
L	SUBJECT	City Council Bill 18-0238 – Baltimore City Parking Authority - Contracts	MEMO	1797

TO

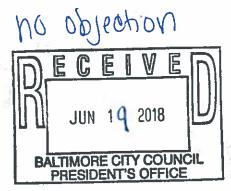
The Honorable President and Members of the City Council Room 400, City Hall June 19, 2018

City Council Bill #18-0238 was created for the purpose of modifying the contract-expenditure threshold that requires approval of a Parking Authority contract by the Board of Estimates.

The proposed legislation would increase the amount for a Parking Authority contract that requires approval by the Board of Estimates from \$10,000 to \$25,000. The Parking Authority is a quasi-governmental agency of Baltimore City, and is also a registered 501c(3) non-profit organization. The \$25,000 threshold for contract approval aligns with current rules for City agencies. This legislation would result in approximately two dozen fewer contracts requiring Board of Estimates approval each year, according to Parking Authority estimates.

This proposal generated no objections from various city agencies, and there is not a significant fiscal impact expected from this legislation. Therefore, the Department of Finance has no objection to the passage of Council Bill #18-0238.

cc: Henry Raymond Kyron Banks





#### CITY OF BALTIMORE

CATHERINE E. PUGH. Mayor



**DEPARTMENT OF LAW** ANDRE M. DAVIS, CITY SOLICITOR 100 N. HOLLIDAY STREET SULTE 101, CITY HALL BALTIMORE, MD 21202

November 1, 2018

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

> Re: City Council Bill 18-0238 – Baltimore City Parking Authority - Contracts

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0238 for form and legal sufficiency. The bill modifies the contract-expenditure threshold that requires approval of a Parking Authority contract by the Board of Estimates.

The activities of the Parking Authority of Baltimore City ("PABC"), including matters related to the PABC's authority to enter into contractual obligations, are established by local law to the extent the local law comports with the State enabling legislation. See generally MD Local Govt., Title 18, Subtitle 1 Parking Authorities Act. This bill merely modifies when the PABC must seek BOE approval before it enters into contracts that exceed a legislatively specified amount. As such, there are no legal impediments to the passage of the bill.

Victor K. Tervala

**Chief Solicitor** 



cc: Andre M. Davis, City Solicitor Karen Stokes, Director, Mayor's Office of Government Relations Kyron Banks, Mayor's Legislative Liaison Elena DiPietro, Chief Solicitor, General Counsel Division Hilary Ruley, Chief Solicitor Ashlea Brown, Assistant Solicitor

# **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, November 8, 2018

10:05 AM

Du Burns Council Chamber, 4th floor, City Hall

18-0238

**CALL TO ORDER** 

INTRODUCTIONS

**ATTENDANCE** 

Present 4 - Member Sharon Green Middleton, Member Eric T. Costello, Member Edward

Reisinger, and Member Robert Stokes Sr.

Excused 1 - Member Leon F. Pinkett III

#### ITEMS SCHEDULED FOR PUBLIC HEARING

18-0238

**Baltimore City Parking Authority - Contracts** 

For the purpose of modifying the contract-expenditure threshold that requires

approval of a Parking Authority contract by the Board of Estimates.

Sponsors: City Council President (Administration)

A motion was made by Member Stokes, Sr., seconded by Member Reisinger, that Bill 18-0238 be recommended favorably. The motion carried by the following

vote:

Yes: 4 - Member Middleton, Member Costello, Member Reisinger, and Member Stokes Sr.

**ADJOURNMENT** 

# CITY OF BALTIMORE

CATHERINE E. 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@bultimorecity.gov

#### **HEARING NOTES**

Bill: 18-0238

	Baltimore City Parking Authority - 6	Contracts
	on, Finance and Economic Development ilmember Sharon Green-Middleton	The second secon
Hearing Date: Time (Beginning): Time (Ending): Location: Total Attendance: Committee Member	11:25 a.m. Clarence "Du" Burns Chambers Approximately 10 – 15	
Sharon Green Middle Eric Costello Edward Reisinger	***************************************	
Robert Stokes		Harring and a second and a result of the second and a sec
Attendance sheet in Agency reports read Hearing televised or Certification of advection of advec	file?	
Final Vote:	••••••••••••••••••••••••••••••	Favorable

# **Major Speakers**

(This is not an attendance record.)

- Peter Little, Parking Authority of Baltimore City
- Hilary Ruley, Law Department

# **Major Issues Discussed**

- 1. Councilwoman Middleton read the bill into the record and introduced committee members.
- 2. Peter Little, PABC Read agency report into the record.
- 3. Hilary Ruley, Law Read agency report into the record.
- 4. There was no public testimony.
- 5. There were approximately 10 15 people in attendance at this hearing.
- 6. A motion was made by Stokes and seconded by Reisinger and the committee voted 4-0 and approved the bill favorable.

F	urther Study
Was further study requested?	☐ Yes ⊠ No
If yes, describe. N/A	
Con	mmittee Vote:
S. Middleton:	Yea

Date: November 8, 2018

Samuel Johnson , Committee Staff

(410) 396-1091 cc: Bill File

OCS Chrono File



# CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Taxation, Finance and Economic Development	Development	Chairperson: Sharon Green Middleton	Green Middleton
Date: November 8, 2018	Time: 10:05 a.m. Place: Clarence	Place: Clarence "Du" Burns Council Chambers	S
Subject: Baltimore City Parking Authority - Contracts	ontracts		CC Bill Number: 18-0238

		PLEASE PRINT		WHAT IS YOUR POSITION ON THIS BILL?	LOBBYIST: ARE YOU REGISTERED IN THE CITY
IF YOU WANT	VANT TO	TESTIFY PLEASE	CHECKHERE	R R SAINST	S
FIRST NAME	LAST NAME	ST.# ADDRESS/ORGANIZATION NAME	ZIP EMAIL ADDRESS	TE Fo	YE
John Doc	oe	100 North Charles Street	21202 Johndoenbmore@yahoo.com	V V V	インイ
Peter	4	200 W. Lambard Street	21201 peter. little@bcparting, com	7	
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ROARD REGISTRATION IS	PENSATED OR INCUR	(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL ROARD REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS CALL OR W	(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS. ROARD, REGISTER ATTOM IS A SIMPLE BROCESS. FOR INFORMATION AND FORMS CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS. CONDENARTMENT OF	DARTMENT OF	THICS

BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730: FAX: 410-396-8483.

# **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, November 8, 2018

10:05 AM

Du Burns Council Chamber, 4th floor, City Hall

18-0238

**CALL TO ORDER** 

**INTRODUCTIONS** 

**ATTENDANCE** 

#### ITEMS SCHEDULED FOR PUBLIC HEARING

18-0238

**Baltimore City Parking Authority - Contracts** 

For the purpose of modifying the contract-expenditure threshold that requires approval of a Parking Authority contract by the Board of

Estimates.

Sponsors:

City Council President (Administration)

#### **ADJOURNMENT**

THIS MEETING IS OPEN TO THE PUBLIC

#### CITY OF BALTIMORE

CATHERINE F. PUGH, Mayor



#### OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Helhday 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 18-0238

Sponsor: President Young (The Administration)

Introduced: October 15, 2018

#### Purpose:

For the purpose of modifying the contract-expenditure threshold that requires approval of a Parking Authority contract by the Board of Estimates.

Effective: None

Hearing Date/Time/Location: November 8, 2018 / 10:05 p.m. / Clarence "Du"

**Burns Chamber** 

# **Agency Reports**

City Solicitor	No Objection
Parking Authority	Favorable
Department of Finance	No Objection

#### **Analysis**

#### **Current Law**

Article 31 – Transit and Traffic Section 13 – 4
Baltimore City Code
(Edition 2000)

#### By repealing and reordaining, with amendments:

Article 31 – Transit and Traffic Section 13-4(h) Baltimore City Code (Edition 2000)

#### **Background**

The Parking Authority of Baltimore City (PABC) is a quasi-governmental agency, and is a registered 501c (3) non-profit organization. Under the current law when the PABC enters into a contract that exceeds the \$10,000 threshold they must come before the Board of Estimates to get approval. If enacted, Bill 18-0238 would increase that threshold from \$10,000 to \$25,000, and essentially would reduce the number of PABC contracts that go before the Board of Estimates by approximately two dozen per year.

Currently, the PABC already has internal controls in place to ensure the integrity of the process. They are governed by a Board of Directors that provides oversight pertaining agency business and operations, there is an existing internal procurement policy that provides guidance on standard operating procedures, and the PABC has an audit done annually by an independent auditing firm to ensure that contracts are reasonable, competitive, and compliant with policy.

The proposed legislation would not have a significant fiscal impact on the City of Baltimore. Also, the \$25,000 threshold that would be extended to the PABC for contract approvals would be in alignment with current rules for City agencies.

#### Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports

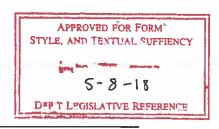
Analysis by: Samuel Johnson, Jr.

Analysis Date: November 2, 2018

Direct Inquiries to: (410) 396-1091

#### INTRODUCTORY\*

# CITY OF BALTIMORE COUNCIL BILL \_\_\_\_



Introduced by: The Council President

At the request of: The Administration (Parking Authority)

#### A BILL ENTITLED

AN ORDINANCE concerning

#### **Baltimore City Parking Authority – Contracts**

FOR the purpose of modifying the contract-expenditure threshold that requires approval of a Parking Authority contract by the Board of Estimates.

By repealing and reordaining, with amendments

Article 31 - Transit and Traffic Section 13-4(h)
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 31. Transit and Traffic

#### Subtitle 13. Baltimore City Parking Authority

#### § 13-4. General powers.

- (h) Contracts.
  - (1) The [authority] AUTHORITY may enter into contracts necessary or convenient to the exercise of its powers.
  - (2) The Authority's contracts are not subject to Article VI, § 11 of the City Charter.
  - (3) However, any contract involving an expenditure of [\$10,000] \$25,000 or more is subject to the approval of the Board of Estimates.

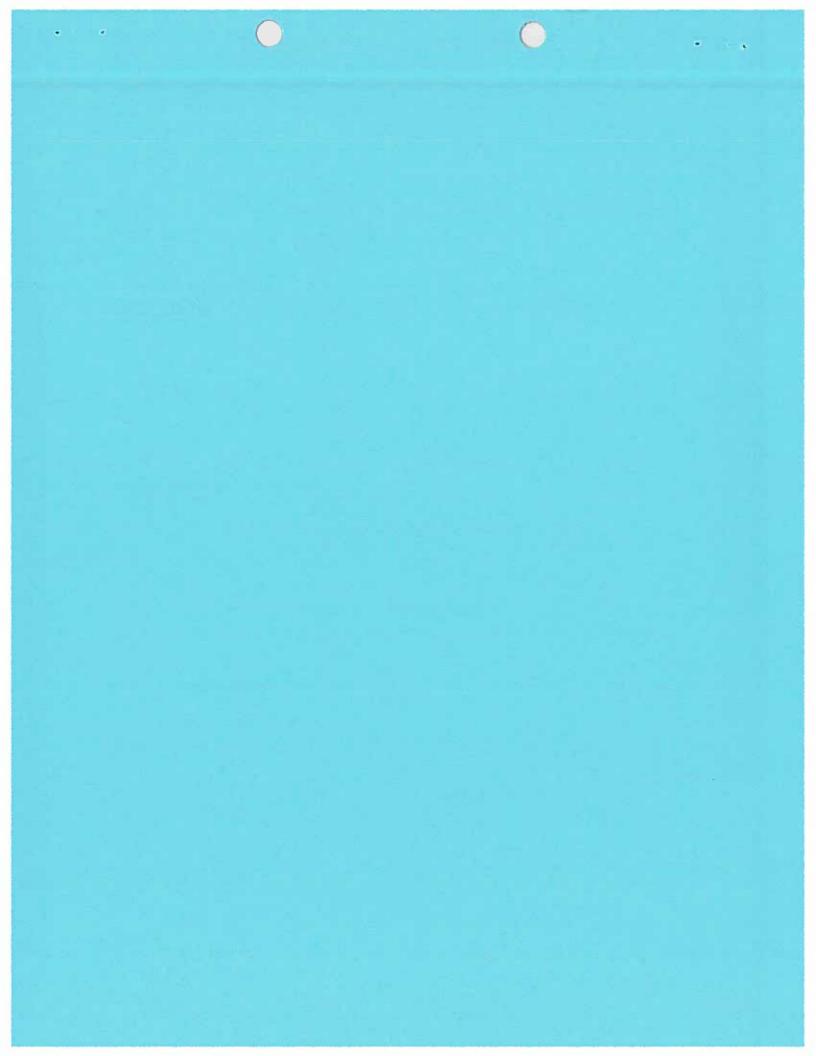
EXPLANATION: CAPITALS indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

SECTION 2. 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 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.





FIRST READING (INTRODUCTION)	MAY 14 2018
PUBLIC HEARING HELD ON	
COMMITTEE REPORT AS OF	November 19 20 18
FAVORABLE FAVO	PRABLE AS AMENDEDWITHOUT RECOMMENDATION
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COMMITTEE MEMBERS:	COMMITTEE MEMBERS:
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Third Reading on:	favorable), this City Council bill was (was not) ordered printed for
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