

**CITY OF BALTIMORE
COUNCIL BILL 06-0422
(Resolution)**

Introduced by: President Dixon, Councilmembers Kraft, Young, Clarke, Mitchell, Welch,
D'Adamo, Harris, Spector, Rawlings Blake Conaway, Holton, Reisinger, Branch, Curran
Introduced and read first time: May 8, 2006

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and
Community Development, Department of Finance, Board of Estimates

A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – Affordable Housing Trust Funds**

3 FOR the purpose of expressly authorizing the establishment of 1 or more continuing, nonlapsing
4 funds to be used for promoting and assisting in the production, etc., of affordable housing
5 and related purposes; conforming and clarifying certain language; and submitting this
6 amendment to the qualified voters of the City for adoption or rejection.

7 BY proposing a new

8 Article I - General Provisions

9 Section(s) 10

10 Baltimore City Charter

11 (1996 Edition)

12 BY proposing an amendment to

13 Article VI - Board of Estimates

14 Section(s) 9(c)

15 Baltimore City Charter

16 (1996 Edition)

17 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 City Charter is proposed to be amended to read as follows:

19 **Baltimore City Charter**

20 **Article I. General Provisions**

21 **§ 10. AFFORDABLE HOUSING FUNDS.**

22 (A) *AUTHORIZATION.*

23 BY ORDINANCE, THE MAYOR AND CITY COUNCIL OF BALTIMORE MAY ESTABLISH 1 OR
24 MORE CONTINUING, NONLAPSING FUNDS FOR PURPOSES OF PROMOTING ECONOMICALLY
25 DIVERSE HOUSING IN CITY NEIGHBORHOODS, INCLUDING:

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 (1) PROVIDING ASSISTANCE, BY LOAN, GRANT, OR OTHERWISE, FOR THE PLANNING,
2 PRODUCTION, MAINTENANCE, OR EXPANSION OF AFFORDABLE HOUSING AND
3 RELATED FACILITIES IN THE CITY;

4 (2) PROVIDING ASSISTANCE, BY LOAN, GRANT, OR OTHERWISE, TO PERSONS UNABLE
5 TO OBTAIN AFFORDABLE HOUSING; AND

6 (3) OTHERWISE INCREASING HOUSING OPPORTUNITIES FOR WORKING FAMILIES AND
7 OTHER PERSONS OF LOW AND MODERATE INCOME.

8 (B) *REVENUE SOURCES.*

9 A FUND ESTABLISHED UNDER THIS SECTION MAY COMPRISE:

10 (1) MONEY APPROPRIATED TO THE FUND IN THE ANNUAL ORDINANCES OF ESTIMATES;

11 (2) GRANTS OR DONATIONS MADE TO THE FUND; AND

12 (3) ANY OTHER REVENUE SOURCE SPECIFIED IN THE ORDINANCE AND NOT OTHERWISE
13 DEDICATED TO SOME OTHER SPECIFIC PURPOSE.

14 (C) *CONTINUING NATURE OF FUND.*

15 NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHARTER, UNSPENT PORTIONS OF A
16 FUND ESTABLISHED UNDER THIS SECTION:

17 (1) REMAIN IN THE FUND, TO BE USED EXCLUSIVELY FOR THEIR ORDAINED PURPOSES;

18 (2) DO NOT REVERT TO THE GENERAL REVENUES OF THE CITY; AND

19 (3) THEIR APPROPRIATIONS DO NOT LAPSE.

20 **Article VI. Board of Estimates**

21 **§ 9. Uses of appropriations.**

22 (c) *Carry-overs; lapses.*

23 (1) Appropriations contained in the Ordinance of Estimates for a particular program,
24 purpose, activity, or project may, upon the recommendation of the head of the
25 municipal agency concerned and the Director of Finance, and with the approval of the
26 Board of Estimates, be carried over to fiscal years subsequent to the one for which the
27 appropriation is initially made if necessary to accomplish that program, purpose,
28 activity, or project.

29 (2) Funds encumbered for contracts, projects, or other actual commitments and funds
30 dedicated by any act of Congress, [or] by ANY State OR CITY law, or by the terms of
31 any private grant to some specific purpose shall be carried over to the next fiscal year.

32 (3) All appropriations not so carried over shall lapse at the end of the fiscal year from
33 which made, except that any balance remaining in the fund of the water or sanitary

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1 wastewater utility (under [Section] § 18 of this article) at the end of the fiscal year
2 shall remain to the credit of that utility and an estimate of [such a] THAT balance shall
3 be included in that utility’s budget for the next year as an estimated receipt.

4 **SECTION 2. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City
5 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or
6 rejection, in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form
7 specified by the City Solicitor.