

COUNCIL BILL 25-0100

**UNOFFICIAL REPRINT TO SHOW CONTEXT
OF AMENDMENTS PROPOSED BY COUNCILMEMBER PARKER**

A BILL ENTITLED

AN ORDINANCE concerning

Children and Youth Fund – Updates

FOR the purpose of updating the process and procedures by which the Fund may disperse grants; altering the composition of the Board of Directors; requiring a certain report; defining certain terms; and generally relating to the administration of the Children and Youth Fund.

BY authority of

Article I - General Provisions
Section 13(e)
Baltimore City Charter
(1996 Edition)

BY repealing and re-ordaining, with amendments,

Article 5 - Finance, Property and Procurement
Sections 9-1, 9-2, 9-4, 9-5, 9-6, ~~9-9, and 9-10~~ and 9-8 to 9-10
Baltimore City Code
(Edition 2000)

BY repealing and re-ordaining, without amendments,

Article 5 - Finance, Property, and Procurement
Sections ~~9-3, and 9-8~~ 9-3
Baltimore City Code
(Edition 2000)

BY repealing and re-ordaining, with amendments,

Article 8 - Ethics
Section 7-8(3a)
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:

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.

Baltimore City Code

Article 5. Finance, Property, and Procurement

Subtitle 9. Children and Youth Fund

§ 9-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Board.*

“Board” means the Board of Directors of the fiscal agent.

(c) *Fiscal agent.*

“Fiscal agent” means the entity designated by § 9-4(a) of this subtitle to administer the Fund and this subtitle.

(d) *Fund.*

“Fund” means the Children and Youth Fund established by City Charter Article I, § 13 {“Children and Youth Fund”}.

(E) *GRANT.*

“GRANT” MEANS FUNDS, MONEY, REGARDLESS OF SOURCE, THAT ARE IS CONTROLLED BY THE FUND AND ALLOCATED FROM THE FUND TO A GRANTEE FOR A SPECIFIC PURPOSE.

(F) *GRANTEE.*

“GRANTEE” MEANS A LEGAL ENTITY TO WHICH THE FUND MAKES A GRANT.

§ 9-2. Uses of Fund.

(a) *In general.*

The Fund may be used only for the purposes generally described in City Charter Article I, § 13(a).

(b) *Inclusions.*

Allowed uses for the Fund include:

- (1) direct grants to program and service providers;
- (2) administrative costs to operate the Fund; and
- (3) capacity-building efforts to strengthen [Fund administration or] the ability of providers to successfully and sustainably offer services to Baltimore’s youth.

(C) EXCLUSION.

THE FUND MAY NOT BE USED TO PROVIDE DIRECT GRANTS OR CAPACITY-BUILDING EFFORTS TO AN ENTITY, UNLESS THAT ENTITY IS A TAX-EXEMPT ORGANIZATION.

§ 9-3. Purpose.

The fiscal agent shall be a community-centered grant-making institution that fosters and promotes:

- (1) racial equity;
- (2) inter-generational leadership;
- (3) community ownership; and
- (4) collective decision-making.

§ 9-4. Fiscal agent.

(a) *Designation.*

The fiscal agent for the Fund is the Baltimore Children and Youth Fund, Inc.

(b) *General powers and duties.*

The fiscal agent [must:] SHALL:

- (1) identify specific programs and services to ~~be funded by the Fund;~~ TO WHICH THE FUND MAY AWARD A GRANT; [and]
- ~~(2) allocate the available funds among the programs and services identified for [funding.] FUNDING ACCORDING TO THE GRANT PROCESS AND PROCEDURES ENUMERATED IN PARAGRAPH (3) OF THIS SUBSECTION;~~
- (2) MAKE GRANT AWARDS TO THE PROGRAMS AND SERVICES IDENTIFIED BY THE FUND;
- ~~(3) ESTABLISH A~~ USE THE STANDARDIZED GRANT PROCESS AND PROCEDURES TO BE FOLLOWED BY ALL GRANTEES, AS DESCRIBED IN SUBSECTION D OF THIS SECTION; AND
- ~~(4) RECEIVE~~ REQUIRE REGULAR FISCAL AND PROGRAM REPORTS FROM ALL ~~GRANTEES.~~ GRANTEES, AS REQUIRED UNDER SUBSECTION (E) OF THIS SECTION.

~~(C) GRANT ELIGIBILITY LIMITATIONS.~~

~~AN ORGANIZATION IS NOT ELIGIBLE TO RECEIVE A GRANT FROM THE FUND IF:~~

- ~~(1) THE ORGANIZATION EMPLOYS:~~
 - ~~(i) A CURRENT EMPLOYEE OF THE FUND;~~

~~(II) A MEMBER OR OFFICER OF THE FUND'S BOARD; OR~~

~~(III) A FAMILY MEMBER OF A CURRENT EMPLOYEE, BOARD MEMBER, OR OFFICER OF THE FUND; OR~~

~~(2) THE ORGANIZATION'S BOARD INCLUDES:~~

~~(I) A CURRENT EMPLOYEE OF THE FUND;~~

~~(II) A MEMBER OR OFFICER OF THE FUND'S BOARD; OR~~

~~(III) A FAMILY MEMBER OF A CURRENT EMPLOYEE, BOARD MEMBER, OR OFFICER OF THE FUND.~~

~~(D) [(c)]~~ *Identifying programs and services for funding.*

(1) As it identifies specific programs and services to be funded by the Fund, the fiscal agent must select programs and services that:

(i) are active in Baltimore City;

(ii) are credible with and accountable to youth and the local communities they are proposing to serve;

(iii) have an element of youth-centered programming; and

(iv) can demonstrate how they are designed to improve outcomes for young people.

(2) The fiscal agent may also use any additional factors listed in City Charter Article I, § 13(a) to identify specific programs and services to be funded by the Fund so long as the additional factors are made publically available to applicants for funding at the time that applications are requested.

(3) Beginning in Fiscal Year [2022] 2027 and continuing every 3 years thereafter, the fiscal agent [shall] SHALL:

(I) conduct a community-wide needs assessment to assist the Board in determining grant-making [areas.] AREAS; AND

(II) WITHIN 30 DAYS OF COMPLETING THE NEEDS ASSESSMENT, SUBMIT THE ASSESSMENT TO THE BOARD OF ESTIMATES AND THE CITY COUNCIL.

~~(E) GRANT PROCEDURE AND PROCESSES.~~

~~THE GRANT PROCEDURE AND PROCESSES ESTABLISHED BY THE FISCAL AGENT SHALL INCLUDE:~~

~~(1) CREATING A UNIFORM APPLICATION FOR ALL GRANT OPPORTUNITIES;~~

~~(2) PUBLISHING ON THE FUND'S WEBSITE THE METHODS BY WHICH THE FUND SHALL EVALUATE AN APPLICATION AND SELECT A GRANTEE;~~

- ~~(3) ORGANIZING AND CONDUCTING A COMMUNITY REVIEW OF ALL GRANT APPLICATIONS DURING THE APPLICATION REVIEW PROCESS;~~
- ~~(4) MAKING AVAILABLE TO GRANT APPLICANTS FEEDBACK FROM THE COMMUNITY REVIEW AND APPLICATION EVALUATION PROCESSES; AND~~
- ~~(5) RECEIVING REGULAR FISCAL AND PROGRAM REPORTS FROM ALL GRANTEEES.~~

(D) GRANT APPLICATION POLICIES AND PROCEDURES.

THE FISCAL AGENT SHALL USE THE FOLLOWING PROCESS TO AWARD GRANTS TO ORGANIZATIONS:

- (1) THE FISCAL AGENT SHALL MAKE ALL GRANT OPPORTUNITIES AVAILABLE TO ALL ELIGIBLE ORGANIZATIONS;
- (2) THE FISCAL AGENT SHALL ASSEMBLE, EDIT, AND PUBLISH ON ITS WEBSITE A GRANTS MANUAL THAT PROVIDES GUIDANCE TO PROSPECTIVE GRANTEEES REGARDING THE POLICES AND PROCEDURE USED BY THE FUND TO AWARD A GRANT;
- (3) THE FISCAL AGENT SHALL CREATE, MAINTAIN, AND PUBLISH ON ITS WEBSITE AND IN THE GRANTS MANUAL A UNIFORM GRANT APPLICATION FOR AN ORGANIZATION TO COMPLETE AND SUBMIT TO THE FISCAL AGENT THAT INCLUDES:
 - (I) PROOF OF THE ORGANIZATION'S TAX-EXEMPT STATUS;
 - (II) A DESCRIPTION OF THE PROFESSIONAL BACKGROUNDS OF THE ORGANIZATION'S LEADERSHIP;
 - (III) A DESCRIPTION OF THE DEMOGRAPHICS OF THE ORGANIZATION'S LEADERSHIP, WITH PERSONALLY-IDENTIFYING INFORMATION REMOVED;
 - (IV) A DESCRIPTION OF THE ORGANIZATION, INCLUDING:
 - (A) HOW THE ORGANIZATION ALIGNS WITH THE FUND'S PURPOSE AS STATED IN § 9-3 OF THIS SUBTITLE;
 - (B) PROOF OF THE ORGANIZATION'S TAX-EXEMPT STATUS;
 - (C) A SUMMARY OF THE ORGANIZATION'S EXPERIENCE WITH SERVING YOUTH;
 - (D) AN ASSESSMENT OF THE ORGANIZATION'S CREDIBILITY WITH AND ACCOUNTABILITY TO YOUTH, COMMUNITY MEMBERS AND THE COMMUNITY AS A WHOLE IN THE CITY;
 - (V) COPIES OF THE ORGANIZATION'S FINANCIAL DOCUMENTATION, INCLUDING:
 - (A) A COPY OF THE ORGANIZATION'S CURRENT BUDGET;
 - (B) THE ORGANIZATION'S MOST RECENT ANNUAL FINANCIAL STATEMENT;

(C) THE ORGANIZATION'S UNITED STATES INTERNAL REVENUE SERVICE FORM 990, FROM WITHIN THE PREVIOUS 2 YEARS, IF APPLICABLE;

(D) THE MOST RECENT INDEPENDENT FINANCIAL AUDIT OF THE ORGANIZATION, IF AVAILABLE; AND

(E) THE ORGANIZATION'S STATE OF MARYLAND CERTIFICATE OF STATUS, DATED FROM THE PAST 3 MONTHS; AND

(VI) A DESCRIPTION OF THE SPECIFIC PROGRAM WITHIN THE ORGANIZATION THAT WILL BE FUNDED BY THE GRANT, INCLUDING THE PROGRAM'S:

(A) PURPOSE;

(B) TIMELINE;

(C) PROPOSED MEASUREMENTS OF PROGRAM OUTCOMES; AND

(D) BUDGET;

(4) AFTER RECEIVING A COMPLETED GRANT APPLICATION, THE FISCAL AGENT SHALL CONVENE A PANEL TO COMPLETE A COMMUNITY REVIEW OF THE APPLICATION, WHICH SHALL BE COMPRISED OF INDIVIDUALS WHO:

(I) ARE BALTIMORE CITY RESIDENTS;

(II) ARE AGED 16 YEARS OR OLDER;

(III) HAVE PERSONAL OR PROFESSIONAL EXPERIENCE WORKING IN, DESIGNING, OR OPERATING A YOUTH PROGRAM; AND

(IV) ARE FAMILIAR WITH THE NEEDS AND EXPERIENCES OF BALTIMORE CITY'S YOUTH;

(5) THE PANEL CONVENED UNDER THIS SUBSECTION SHALL COMPLETE A COMMUNITY REVIEW OF THE APPLICATION, WHICH SHALL INCLUDE:

(I) A GROUP REVIEW OF THE APPLICATION;

(II) SCORING THE APPLICATION BASED ON THE FOLLOWING CRITERIA:

(A) CURRENT ACTIVITY IN BALTIMORE CITY;

(B) CREDIBILITY WITH AND ACCOUNTABILITY TO YOUTH AND THE LOCAL COMMUNITIES THE ORGANIZATION IS PLANNING TO SERVE;

(C) HAVING AN ELEMENT OF YOUTH-CENTERED PROGRAMMING; AND

(D) BEING DESIGNED TO IMPROVE OUTCOMES FOR YOUTH;

(6) BASED UPON THE COMMUNITY REVIEW PROCESS CONDUCTED UNDER

PARAGRAPH (5) OF THIS SUBSECTION, THE PANEL CONDUCTING THE COMMUNITY REVIEW SHALL REPORT THE NAME AND SCORE OF EACH APPLICANT, AND MAKE RECOMMENDATIONS TO THE FISCAL AGENT AND THE BOARD;

(7) BASED UPON THE RECOMMENDATIONS OF THE PANEL CONDUCTING THE COMMUNITY REVIEW, THE BOARD SHALL EITHER DENY OR APPROVE AN ORGANIZATION'S GRANT APPLICATION AND, IF APPROVED, THE FISCAL AGENT SHALL ENTER INTO A GRANT AGREEMENT WITH THE ORGANIZATION AND FINALIZE THE DISBURSEMENT OF FUNDS IN ACCORDANCE WITH CITY POLICY; AND

(8) FOLLOWING THE DENIAL OR APPROVAL OF AN ORGANIZATION'S GRANT APPLICATION, THE FISCAL AGENT SHALL REPORT TO THE APPLICANT THE RESULTS OF THE COMMUNITY REVIEW AND APPLICATION EVALUATION PROCESS.

~~(F) GRANTEE REPORTING FREQUENCY.~~

~~(1) IN GENERAL.~~

~~A GRANTEE SHALL SUBMIT THE REPORT REQUIRED UNDER SUBSECTION (E)(5) ON A MONTHLY BASIS.~~

~~(2) EXCEPTION.~~

~~IF A GRANTEE HAS BEEN IN FULL COMPLIANCE WITH REPORTING REQUIREMENTS AND OTHER GRANTEE TERMS AND CONDITIONS FOR NO FEWER THAN 12 MONTHS, THE FISCAL AGENT MAY ADJUST THE FREQUENCY OF THE REPORTING REQUIREMENT TO NO LESS THAN A QUARTERLY BASIS, ON THE CONDITION THAT THE GRANTEE REMAINS IN FULL COMPLIANCE.~~

(E) GRANTEE REPORTING.

(1) REPORT REQUIRED.

A GRANTEE SHALL SUBMIT TO THE FISCAL AGENT A QUARTERLY FISCAL REPORT.

(2) COMPLIANCE.

A GRANTEE HAS BEEN IN FULL COMPLIANCE WITH THE REPORTING REQUIREMENTS UNDER THIS SUBSECTION, AND ITS OBLIGATIONS AS A GRANTEE, IF THE GRANTEE:

- (I) HAS SUBMITTED ALL FISCAL REPORTS AND DOCUMENTATION ON TIME AND IN A COMPLETE AND ACCURATE FASHION; AND
- (II) HAS ABIDED BY ALL TERMS AND CONDITIONS CONTAINED WITHIN ITS GRANT AGREEMENT WITH THE FUND.

(3) EXCEPTIONS TO QUARTERLY BASIS.

(I) IF A GRANTEE HAS FAILED TO BE IN FULL COMPLIANCE FOR 2 CONSECUTIVE QUARTERS OR 6 MONTHS OUT OF THE PAST 12 MONTHS, THEN THE GRANTEE SHALL SUBMIT FISCAL REPORTS ON A MONTHLY BASIS UNTIL IT HAS BEEN IN FULL COMPLIANCE FOR 12 MONTHS.

(II) IF A GRANTEE HAD A MATERIAL WEAKNESS IN THEIR LAST FINANCIAL AUDIT, THE GRANTEE SHALL SUBMIT FISCAL REPORTS ON A MONTHLY BASIS UNTIL THEIR NEXT FINANCIAL AUDIT SHOWS THAT THE WEAKNESS HAS BEEN RESOLVED.

(F) (G) PERFORMANCE AUDIT.

BEGINNING IN FISCAL YEAR 2027 AND CONTINUING EVERY 3 YEARS THEREAFTER, THE FISCAL AGENT SHALL PARTICIPATE IN A PERFORMANCE AUDIT CONDUCTED BY THE OFFICE OF THE BALTIMORE CITY COMPTROLLER.

§ 9-5. Board of directors.

(a) In general.

The fiscal agent shall be governed by and administered by a Board of Directors.

(b) Number and appointment.

- (1) The number of voting members of the full Board may not be less than [9,] 13 excluding vacancies, and no more than [20.] 21.
- (2) The Board may increase or decrease its membership, within the limits specified in this subsection, in its bylaws.
- (3) The Board members shall be appointed and serve the terms prescribed by the Board's bylaws.

(c) Composition.

(1) Ex-officio members.

(i) Of the voting members of the Board:

- (A) 1 shall be the Director of the Mayor's Office of Children and Family Success or the Director's designee; [and]
- (B) 1 shall be the City Council President or a MEMBER OF THE City COUNCIL [Councilmember] designated by the City Council [President.] PRESIDENT; AND
- (C) 1 SHALL BE A MEMBER OF THE BALTIMORE CITY YOUTH COMMISSION, AS DESIGNATED BY THE CITY COUNCIL PRESIDENT; AND DETERMINED BY AN AFFIRMATIVE VOTE OF AT LEAST A MAJORITY OF A QUORUM OF THE BALTIMORE CITY YOUTH COMMISSION.
- ~~(D) 1 SHALL BE THE CHAIR OF THE BOARD OF SCHOOL COMMISSIONERS FOR~~

~~THE CITY OF BALTIMORE OR THE CHAIR'S DESIGNEE.~~

(ii) Of the non-voting members of the Board:

(A) 1 shall be the City Solicitor or the City Solicitor's designee; and

(B) 1 shall be the Director of Finance or the Director's designee.

(2) *Diversity.*

(i) *In general.*

~~(A) The Board shall reflect [a] THE diverse economic, social, GEOGRAPHIC, and racial [mix.] DEMOGRAPHICS OF THE CITY, AS REFLECTED IN THE MOST RECENTLY AVAILABLE RECENT, PUBLICLY-AVAILABLE BALTIMORE CITY PUBLIC SCHOOL SYSTEM STUDENT ENROLLMENT DATA.~~

~~(B) THE BOARD SHALL INCLUDE REPRESENTATION FROM AT LEAST HALF OF THE DISTRICTS OF THE BALTIMORE CITY COUNCIL.~~

(ii) *Youth participation.*

(A) In this subparagraph, "youth" means an individual between the ages of 14 and 25, inclusive.

~~(B) [Except as provided in sub-subparagraph (C), SUB-SUBPARAGRAPHS (C) AND (D), at least one-third] AT LEAST ONE QUARTER of the Board shall consist of youth members.~~

~~[(C) The Board of Estimates may waive the requirement in sub-subparagraph (B) if the Board of Estimates finds that the Fund's Board has taken reasonable and diligent efforts to comply with that requirement and that those efforts have failed.]~~

~~(C) [The] NO MORE THAN 1 TIME IN A FISCAL YEAR, THE Board of Estimates may waive the requirement in sub-subparagraph (B) if the Board of Estimates finds that the [Fund's] Board has taken reasonable and diligent efforts to comply with that requirement and that those efforts have [failed.] FAILED AND THE BOARD CREATES AND SUBMITS TO THE BOARD OF ESTIMATES A PLAN TO RESTORE THE YOUTH MEMBERSHIP TO AT LEAST ONE-THIRD OF THE TOTAL BOARD.~~

~~(D) IF THE BOARD'S YOUTH MEMBERSHIP IS LESS THAN 2 YOUTH MEMBERS, THE BOARD SHALL IMMEDIATELY NOTIFY THE BOARD OF ESTIMATES AND SHALL PRESENT THE BOARD OF ESTIMATES WITH A PLAN FOR RESTORING YOUTH BOARD MEMBERSHIP TO A MINIMUM OF 2 YOUTH BOARD MEMBERS AND SHALL CARRY OUT THAT PLAN WITHIN 90 DAYS OF PRESENTING THE PLAN.~~

(D) ETHICAL PROCEDURES.

(1) BOARD SHALL FILE.

THE BOARD SHALL ABIDE BY THE PROVISIONS OF SUBTITLE 7 {"FINANCIAL DISCLOSURES"} OF THE CITY ETHICS ARTICLE AND ALL OTHER APPLICABLE PROVISIONS THEREIN.

(2) REQUIRED RECUSAL.

(I) A MEMBER OF THE BOARD SHALL HAS A CONFLICT OF INTEREST AND SHALL ABSTAIN FROM A DISCUSSION AND RECUSE THEMSELF FROM A VOTE ON ANY MATTER BEFORE THE BOARD IF:

(A) THE BOARD MEMBER IS CURRENTLY EMPLOYED BY THE ORGANIZATION TO WHICH THE DISCUSSION OR VOTE PERTAINS;

(B) A FAMILY MEMBER OF THE BOARD MEMBER IS CURRENTLY EMPLOYED BY THE ORGANIZATION TO WHICH THE DISCUSSION OR VOTE PERTAINS;

(C) THE BOARD MEMBER IS CURRENTLY A MEMBER OF THE BOARD OF THE ORGANIZATION TO WHICH THE DISCUSSION OR VOTE PERTAINS; OR

(D) A FAMILY MEMBER OF THE BOARD MEMBER IS CURRENTLY A MEMBER OF THE BOARD OF THE ORGANIZATION TO WHICH THE DISCUSSION OR VOTE PERTAINS.

(II) A BOARD MEMBER WHO ABSTAINS FROM A DISCUSSION OR RECUSES THEMSELF FROM A VOTE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL IMMEDIATELY DISCLOSE THE CONFLICT OF INTEREST TO THE OTHER MEMBERS OF THE BOARD.

(III) THE CONFLICT OF INTEREST AND THE MEMBER'S SUBSEQUENT ABSTENTION OR RECUSAL SHALL BE PUBLISHED IN THE BOARD'S MEETING MINUTES.

(E) ~~(d)~~ Bylaws.

- (1) The Board must adopt bylaws for the administration of the fiscal agent. However, those bylaws may not be inconsistent with the terms of this subtitle or of City Charter Article I, § 13 {"Children and Youth Fund"}.
- (2) The initial bylaws required by this subsection must be approved by the Board of Estimates before taking effect.
- (3) Subsequent amendments to the initial bylaws must be filed with the Board of Estimates before taking effect.

(F) ~~(e)~~ Board of Directors approval required.

No funds may be disbursed from the Fund without the prior approval of the Board of Directors.

(G) ~~(H)~~ *Staff.*

The Board may employ staff to carry out the fiscal agent's day-to-day operations.

§ 9-6. Annual financial plan.

(a) *In general.*

Subject to the requirements of this section, PRIOR TO ~~MAY~~ SEPTEMBER 1 OF EACH YEAR, the Board shall adopt an annual financial plan, based on the City's fiscal year, [consisting of at least a budget and an amount to be disbursed from the Fund during that year.] THAT INCLUDES:

- (1) A BUDGET;
- (2) AN AMOUNT TO BE DISBURSED FROM THE FUND TO GRANTEEES DURING THE COMING FISCAL YEAR;
- (3) THE BALANCE OF THE FUND, INCLUDING MONEY HELD IN CITY AND FUND ACCOUNTS, AS OF THE MOST RECENT QUARTER;
- (4) THE AMOUNT OF MONEY THE FUND RECEIVED FROM THE PROPERTY TAX ASSESSMENT IN THE LAST FISCAL YEAR;
- (5) THE RESULTS OF THE MOST RECENT FINANCIAL AUDIT CONDUCTED BY AN INDEPENDENT THIRD PARTY; AND
- (6) AN UPDATED PLAN AND PROGRESS REPORT ON THE DISBURSEMENT OF THE MULTI-YEAR BALANCE OF THE FUND.

(b) *Fund allocations; Limitations.*

(1) *Limitations on use.*

(i) For the purposes of this paragraph, "public engagement" may include:

- (A) staffing needs for community outreach;
- (B) space, supplies, and personnel for community information sessions; OR
- (C) materials for education, marketing, and promotion of fund-related [efforts; or] EFFORTS.
- [(D) facilitation and execution of community participatory processes for grant making.]

(ii) In its financial plan, the Board may allocate from the Fund's balance:

- (A) up to [5%] ~~2%~~ 3% for public engagement; [and]

(B) up to [15%] ~~18%~~ 15% for staff and other costs to administer the [Fund.] ~~FUND, INCLUDING FACILITATION AND EXECUTION OF COMMUNITY PARTICIPATORY PROCESSES FOR GRANT MAKING; AND FUND;~~

(C) UP TO ~~15%~~ 20% FOR TECHNICAL ASSISTANCE TO GRANTEEES REGARDING ADMINISTERING GRANT FUNDS AND COMPLYING WITH GRANT ~~REQUIREMENTS. REQUIREMENTS; AND~~

(D) UP TO 2% TO FACILITATE AND EXECUTE COMMUNITY REVIEWS OF GRANT APPLICATIONS PURSUANT TO § 9-4(D) {"GRANT APPLICATION POLICIES AND PROCEDURES"}.

(2) *Remainder to be disbursed.*

(i) The Board [must] SHALL allocate the remainder of the Fund's balance among the programs and services identified under [§ 9-4(c)] § 9-4(D) of this subtitle, with an emphasis on programs or services operating in, or meant to assist young people from, the communities in Baltimore City most impacted by high poverty.

(II) THE REMAINDER OF THE FUND'S BALANCE SHALL BE ALLOCATED ACCORDING TO THE PROCESSES ESTABLISHED IN § 9-4 OF THIS SUBTITLE AND IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION.

(3) *GRANT AMOUNTS - LIMITATIONS.*

(I) ~~GRANT FUNDING OPPORTUNITIES MADE AVAILABLE THE DISCRETION OF THE PRESIDENT OF THE FUND MAY NOT EXCEED AN AMOUNT THAT IS GREATER THAN 10% OF THE TOTAL GRANT FUNDS DISBURSED IN THE SAME FISCAL YEAR.~~

(II) THE SIZE OF A GRANT MADE TO A SINGLE GRANTEE IN A FISCAL YEAR MAY NOT EXCEED 100% OF THE EXPENDITURES OF THAT GRANTEE FROM THE HIGHER OF:

(A) ~~THE PREVIOUS FISCAL YEAR; OR~~

(B) ~~THE AVERAGE OF THE PAST 3 FISCAL YEARS.~~

(I) ~~(II)~~ THE SIZE OF A GRANT MAY NOT EXCEED 20% OF THE TOTAL FUNDS AMOUNT OF MONEY DISBURSED BY THE FUND AS GRANTS IN ANY FISCAL YEAR.

(II) THE BOARD MAY NOT AWARD A GRANT TO ANY ORGANIZATION THAT HAS NOT FOLLOWED THE POLICIES AND PROCEDURES ESTABLISHED UNDER § 9-4(D) OF THIS SUBTITLE.

(c) *Public hearing and comment on financial plan.*

Before adopting any financial plan required by this section, the Board shall arrange for a public hearing on the proposed plan. Notice of the hearing must be published on the fiscal agent's website for at least 3 consecutive weeks.

(d) *Board of Estimates filing required.*

[After] WITHIN 10 DAYS OF adopting a financial plan, the Board shall file the plan with the Board of Estimates.

§ 9-7. {Reserved}

§ 9-8. Annual review; Dissolution of board.

(a) Public hearings.

(1) No later than March 31 of each year, a relevant committee of the City Council shall hold 1 or more public hearings to evaluate the ~~activities~~ OPERATIONS of the fiscal agent and its disbursements.

(2) BY THE DATE OF THE PUBLIC HEARING REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION, THE FISCAL AGENT SHALL SUBMIT TO THE CITY COUNCIL THE COMPLETED INDEPENDENT THIRD PARTY FINANCIAL AUDIT OF THE FUND FROM THE PREVIOUS FISCAL YEAR.

(b) Petition for dissolution.

(1) If after conducting a public hearing and hearing testimonial evidence, the City Council finds evidence of misappropriation of funds, malfeasance, or violation of law in connection with the administration of the Fund, the City Council may, by a three-fifths vote of its members, refer a petition to the Board of Estimates to dissolve the fiscal agent's Board.

(2) On receipt of a petition described in paragraph (1) of this subsection, the Board of Estimates shall consider and vote on that petition as soon as practicable.

§ 9-9. Rules and regulations.

Subject to Title 4 {"Administrative Procedure Act – Regulations"} of the City General Provisions Article, the Director of Finance must adopt rules and regulations to carry out this subtitle including:

- (i) a schedule for dispersing the Fund each year; and
- (ii) procedures for transferring money from the Fund to either the [interim] fiscal agent or directly to service and program providers designated by the [interim] fiscal agent.

§ 9-10. Annual [report.] REPORTS.

(A) BOARD.

No later than June 30 of each year, the Board shall prepare and submit a report to the Mayor and City Council [detailing the activities and the impact of the Fund.] THAT SHALL INCLUDE:

- (1) A DETAILED DESCRIPTION OF THE ACTIVITIES AND IMPACT OF THE FUND;
- (2) THE COMPOSITION AND DEMOGRAPHICS OF THE BOARD, INCLUDING THE NUMBER OF YOUTH MEMBERS ON THE BOARD AND THE GEOGRAPHIC DIVERSITY OF THE MEMBERS;
- (3) INFORMATION ABOUT THE FUND'S GRANTEES, INCLUDING:

- (I) THE GRANTEE'S NAME AND ADDRESS;
 - (II) THE PROGRAMMATIC INTENT OF THE GRANTEE;
 - (III) THE GEOGRAPHIC AREA SERVED BY THE GRANTEE;
 - (IV) THE SIZE OF THE GRANT RECEIVED BY THE GRANTEE;
 - (V) THE NUMBER OF YEARS OF FUNDING RECEIVED BY THE GRANTEE;
 - (VI) THE GRANTEE'S RECORD OF COMPLIANCE WITH THE FUNDS REPORTING REQUIREMENTS AND THE TERMS AND CONDITIONS OF ANY GRANTS RECEIVED; AND
 - (VII) A SUMMARY OF THE OUTCOMES THAT THE GRANTEE ACHIEVED USING MONEY FROM THE FUND; AND
- (4) THE RESULTS OF THE MOST RECENTLY COMPLETED AUDIT OF THE FUND.

(B) *DIRECTOR OF FINANCE.*

THE DIRECTOR OF FINANCE SHALL ANNUALLY PROVIDE A REPORT TO THE MAYOR AND CITY COUNCIL THAT INCLUDES:

- (1) THE DATE AND AMOUNT ~~OF THE SCHEDULED DISBURSEMENTS OF THE FUND AND~~ AMOUNT DISPERSED THROUGH GRANTS IN THE PAST FISCAL YEAR; YEAR, IN ACCORDANCE WITH THE REGULATIONS PROMULGATED PURSUANT TO § 9-9 OF THIS SUBTITLE; AND
- ~~(2) THE DATE OF THE PAST FISCAL YEAR'S TRANSFERS FROM THE FUND TO EITHER THE FISCAL AGENT OR DIRECTLY TO GRANTEES; AND~~
- ~~(2) (3) THE FUND'S BALANCE PRIOR TO AND FOLLOWING THE DATES OF ANY DISBURSEMENT OR TRANSFER. TRANSFER OF MONEY FROM THE FUND TO THE FISCAL AGENT.~~

Article 8 - Ethics

Subtitle 7. Financial Disclosure

Part II. Who Must File

§ 7-8. Persons required to file – Agency officials and staff.

The following officials and employees must file the financial disclosure statements required by this subtitle:

- (3a) *Baltimore Children and Youth [Fund.]* FUND AND BALTIMORE CHILDREN AND YOUTH FUND, INC.

- (i) All members of Board of Directors.

(ii) All non-clerical employees.

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