

CITY OF BALTIMORE
RESOLUTION _____
Council Bill 06-422

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

Committee Report: Favorable, with Amendments
Council action: Adopted
Read second time: August 14, 2006

A RESOLUTION OF THE MAYOR AND CITY COUNCIL CONCERNING

Charter Amendment – Affordable Housing Trust Funds

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

BY proposing a new

Article I - General Provisions
Section(s) 10
Baltimore City Charter
(1996 Edition)

~~By proposing an amendment to~~

~~Article VI - Board of Estimates
Section(s) 9(c)
Baltimore City Charter
(1996 Edition)~~

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

Baltimore City Charter

Article I. General Provisions

§ 10. AFFORDABLE HOUSING FUNDS.

(A) *AUTHORIZATION.*

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 06-422

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

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

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

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

11 (B) *REVENUE SOURCES.*

12 A FUND ESTABLISHED UNDER THIS SECTION MAY COMPRISE:

13 (1) MONEY APPROPRIATED TO THE FUND IN THE ANNUAL ORDINANCES OF ESTIMATES;
14 AND

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

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

18 (C) *CONTINUING NATURE OF FUND.*

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

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

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

23 (3) THEIR APPROPRIATIONS DO NOT LAPSE.

24 ~~**Article VI. Board of Estimates**~~

25 ~~**§ 9. Uses of appropriations.**~~

26 ~~(e) *Carry-overs; lapses.*~~

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

Council Bill 06-422

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

4 ~~(3) All appropriations not so carried over shall lapse at the end of the fiscal year from~~
5 ~~which made, except that any balance remaining in the fund of the water or sanitary~~
6 ~~wastewater utility (under [Section] § 18 of this article) at the end of the fiscal year~~
7 ~~shall remain to the credit of that utility and an estimate of [such a] THAT balance shall~~
8 ~~be included in that utility's budget for the next year as an estimated receipt.~~

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

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

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City