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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, APRIL 27, 2021
10:01 AM**

VIRTUAL WEBEX MEETING

Council Bill 21-0041

Board of Estimates – Basic Organization and Procurement Thresholds

CITY COUNCIL COMMITTEES

ECONOMIC AND COMMUNITY DEVELOPMENT (ECD)

Sharon Green Middleton, Chair
John Bullock – Vice Chair
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes
Staff: Jennifer Coates

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Eric Costello, Chair
Kristerfer Burnett
Ryan Dorsey
Danielle McCray
Sharon Green Middleton
Isaac “Yitzy” Schleifer
Robert Stokes
Staff: Marguerite Currin

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Zeke Cohen
Erick Costello
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Mark Conway
Ryan Dorsey
Phylicia Porter
James Torrence
Isaac “Yitzy” Schleifer
Staff: Matthew Peters

RULES AND LEGISLATIVE OVERSIGHT (OVERSIGHT)

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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: 21-0041

Board of Estimates - Basic Organization and Procurement Thresholds

Sponsor: *President Mosby at the request of the Office of the Comptroller*

Introduced: *February 22, 2021*

Purpose:

For the purpose of repealing City Code, Article 5, Subtitle 1 {“City Comptroller”}; designating the Comptroller or the Comptroller’s designee to be the clerk of the Board of Estimates; requiring the Clerk of the Board of Estimates coordinate reports required to be filed with the Board of Estimates; requiring the Comptroller to retain the reports for an appropriate period of time; and establishing certain contract and procurement thresholds pursuant to City Charter Article VI, Section 11(b).

Effective: *On the 30th day after the date it is enacted.*

Agency Reports

Law Department	<i>None received as of this writing</i>
Office of the Comptroller	<i>None received as of this writing</i>
Department of Finance	<i>None received as of this writing</i>
Minority and Women’s Business Opportunity Office	<i>Favorable</i>

Analysis

Current Law

Baltimore City Code – Article 5 under Finance, Property and Procurement – outlines the rules, regulations and responsibilities of the Board of Estimates.

Background

At the request of the Office of the Comptroller, this legislation is one (1) of three (3) bills; **21-0041**, **21-0042** and **21-0043** coming before the committee on April 27, 2021.

If enacted Council Bill 21-0041 will remove Subtitle 1 “City Comptroller” in all its entirety from Article 5 of the Baltimore City Code and adds “Subtitle 1. Board of Estimates.”

Under the newly added subtitle: Subtitle 1. Board of Estimates includes:

- The duties and responsibilities of the Clerk to the Board of Estimates
- Procurement thresholds and advertisement requirements that are already listed in the City Charter; now will be listed in the City Code too, and
- While subjected to the Administrative Procedure Act – Regulations, the Board of Estimates may adopt rules and regulations as necessary or appropriate.

Additional Information

Fiscal Note: None

Information Source(s): City Code, Council Bill 21-0041, and all agency reports received as of this writing.

Marguerite M. Currin

Analysis by: Marguerite M. Currin
Analysis Date: April 23, 2021

Direct Inquiries to: (443) 984-3485

Council Bill : 21-0041

AGENCY REPORT(S)

SEE ATTACHED

CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
JAMES L. SHEA, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

April 23, 2021

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

Re: Council Bill 21-0041 – Board of Estimates - Basic Organization and Procurement Thresholds

The Department of Law Minority and Women’s Business Opportunity Office (MWBOO) hereby reports on Council Bill 21-0041 – Board of Estimates - Basic Organization and Procurement Thresholds.

We recognize this bill is for the purpose of designating the Comptroller or the Comptroller Designee to serve as the clerk for the Board of Estimates to fulfill tasks related to coordinating reports that are required to be filed with the Board of Estimates. Furthermore, the Council Bill allows the Comptroller to retain these reports for a period and thus, establish certain contract and procurement thresholds pursuant to City Charter *Article 6 Section 11(B)*.

MWBOO fully supports Council Bill 21-0041 as this action will allow the Comptroller more effectiveness and efficiency related to improving the administrative capacity for Baltimore City.

Sincerely,

A handwritten signature in black ink, appearing to read 'LaShella Miller'.

LaShella Miller
Chief
Minority and Women’s Business Opportunity Office

CC: Solicitor Jim Shea
Nina Themelis

**CITY OF BALTIMORE
COUNCIL BILL 21-0041
(First Reader)**

Introduced by: The Council President
At the request of: Office of the Comptroller
Introduced and read first time: February 22, 2021
Assigned to: Ways and Means Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Comptroller, Department of Finance,
Minority and Women’s Business Opportunity Office

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Board of Estimates - Basic Organization and Procurement Thresholds**

3 FOR the purpose of repealing City Code, Article 5, Subtitle 1 {“City Comptroller”}; designating
4 the Comptroller or the Comptroller’s designee to be the clerk of the Board of Estimates;
5 requiring the Clerk of the Board of Estimates coordinate reports required to be filed with the
6 Board of Estimates; requiring the Comptroller to retain the reports for an appropriate period
7 of time; and establishing certain contract and procurement thresholds pursuant to City
8 Charter Article VI, Section 11(b).

9 BY repealing

10 Article 5 - Finance, Property, and Procurement
11 Subtitle 1 {“City Comptroller”}, in its entirety
12 Baltimore City Code
13 (Edition 2000)

14 BY adding

15 Article 5 - Finance, Property, and Procurement
16 Section(s) 1-1 through 1-3, to be under the new subtitle,
17 “Subtitle 1. Board of Estimates”
18 Baltimore City Code
19 (Edition 2000)

20 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
21 City Code Article 5, Subtitle 1 {“City Comptroller”} is repealed in its entirety.

22 **SECTION 2. BE IT FURTHER ORDAINED,** That the Laws of Baltimore City read as follows:

23 **Baltimore City Code**

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

25 **SUBTITLE 1. BOARD OF ESTIMATES**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 21-0041

1 **§ 1-1. CLERK TO THE BOARD OF ESTIMATES.**

2 (A) *IN GENERAL.*

3 THE COMPTROLLER OR THE COMPTROLLER’S DESIGNEE SHALL PERFORM THE DUTIES OF
4 CLERK TO THE BOARD OF ESTIMATES.

5 (B) *REQUIRED REPORTS.*

6 (1) THE CLERK TO THE BOARD OF ESTIMATES SHALL COORDINATE THE SUBMISSION OF
7 ANY REPORT THAT IS REQUIRED TO BE SUBMITTED TO THE BOARD OF ESTIMATES BY
8 THE CHARTER OR THIS CITY CODE.

9 (2) THE COMPTROLLER SHALL RETAIN ANY REPORT DESCRIBED IN PARAGRAPH (1) FOR AN
10 APPROPRIATE PERIOD OF TIME.

11 **§ 1-2. PROCUREMENT THRESHOLDS.**

12 (A) *IN GENERAL.*

13 PURSUANT TO THE AUTHORITY OF CITY CHARTER ARTICLE VI, § 11(B), THE
14 FOLLOWING CONTRACT AND PROCUREMENT THRESHOLDS ARE ESTABLISHED.

15 (B) *FORMAL ADVERTISEMENT.*

16 ALL EXPENDITURES OF \$50,000 OR MORE SHALL BE FORMALLY ADVERTISED UNDER
17 CITY CHARTER ARTICLE VI, § 11(C).

18 (C) *BOARD APPROVAL.*

19 ALL EXPENDITURES OF \$25,000 OR MORE SHALL BE SUBJECT TO BOARD OF ESTIMATES
20 APPROVAL UNDER CITY CHARTER ARTICLE VI, § 11(F).

21 **§ 1-3. RULES AND REGULATIONS.**

22 SUBJECT TO TITLE 4 {“ADMINISTRATIVE PROCEDURE ACT - REGULATIONS”} OF THE
23 GENERAL PROVISIONS ARTICLE, THE BOARD MAY ADOPT RULES AND REGULATIONS AS
24 NECESSARY OR APPROPRIATE.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
26 are not law and may not be considered to have been enacted as a part of this or any prior
27 Ordinance.

Council Bill 21-0041

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