



Legislation Text

File #: 23-0364, Version: 0

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.

Introductory*

**City of Baltimore
Council Bill**

Introduced by: Councilmember Cohen

A Bill Entitled

An Ordinance concerning

Baltimore City Fiscal Policy Democratization Task Force - Establishment

For the purpose of establishing the Baltimore City Fiscal Policy Democratization Task Force; providing for the composition, member terms, and organization of the Task Force; providing for the staffing of the Task Force; establishing the duties of the Task Force; requiring submission of a final report; requiring public listening sessions; establishing a timeline for nominations to the Task Force to be submitted to the City Council; establishing a time period within which the Task Force shall first convene; and providing for a special effective date.

By adding

Article 3 - Boards and Commissions
Sections 2-1 to 2-8 to be under the new subtitle designation
“Subtitle 2. Fiscal Policy Democratization Task Force”
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 3. Boards and Commissions

Subtitle 1. {Reserved}

Subtitle 2.

Fiscal Policy Democratization Task Force

§ 2-1. Definitions.

(a) *In general.*

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

(b) *Fiscal policy.*

“Fiscal policy” means all aspects of policymaking available to elected officials, municipal employees, and residents that may be used to impact municipal taxation and spending to influence the economy.

(c) *Task force.*

“Task Force” means the Baltimore City Fiscal Policy Democratization Task Force.

§ 2-2. Establishment.

There is a Baltimore City Fiscal Policy Democratization Task Force.

§ 2-3. Composition.

(a) *In general.*

The Task Force comprises 7 members, 6 of whom are appointed by the Mayor in accordance with City Charter Article IV, § 6, and 1 who is an ex-officio member.

(b) *Appointed members.*

Of the 6 members appointed by the Mayor:

- (1) 1 member shall be faculty at a school of law, public policy, or public administration located within the City or Baltimore County;
- (2) 1 member shall be a representative from a labor union or federation of labor unions that represents workers who live in the City;
- (2) 2 members shall be recommended by the City Council President, of whom:
 - (i) 1 shall be a representative from a nonprofit organization that conducts research and analysis related to municipal finances; and
 - (ii) 1 shall be a representative from a City-based organization representing minority- or women-owned businesses in the City; and
- (3) 2 members shall be recommended by the Comptroller, of whom:
 - (i) 1 shall be a representative from an organization that advances racial and economic justice in local government; and
 - (ii) 1 shall be a representative from a nonpartisan City-based nonprofit organization whose work focuses on economic policy in the State.

(c) *Ex-officio members.*

The 1 ex-officio member is the Chair of the Ethics Board.

§ 2-4. Terms; organization.

(a) *Terms.*

Members serve for 4 years, concurrent with the Mayor's term of office, or until the Task Force is dissolved, whichever is sooner.

(b) *Compensation.*

Members serve on the Task Force without compensation.

(c) *Vacancies.*

(1) At the end of a term, an appointed member serves until a successor is appointed and qualifies.

(2) A member who is appointed after a term has begun serves for the rest of the term.

(d) *Task Force Chair.*

The Task Force shall elect 1 of its members to serve as the Task Force's Chair.

(e) *Meetings; quorum.*

(1) The Task Force shall meet on the call of the Chair as frequently as required to perform its duties and at least 4 times before the final report is published as required under § 2-7 {"Final report"}.

(2) All members of the Task Force shall be present to constitute a quorum.

(f) *Dissolution.*

Without further action taken by the Mayor and City Council the Task Force is dissolved 1 year after publishing its final report as required under § 2-7 {"Final report"}.

§ 2-5. Staff.

The Comptroller shall provide staff as necessary to aid the members in carrying out the duties of the Task Force.

§ 2-6. Powers and duties.

(a) *In general.*

The Task Force is responsible for:

- (1) reviewing the fiscal policy of the City;
- (2) identifying what, if any, issues exist with the current form and function of the Board of Estimates;
- (3) researching best practices in the area of municipal fiscal policy;
- (4) publishing a final report; and

(5) conducting community outreach.

(b) *Specific duties.*

(1) *Contextual research.*

The Task Force Shall:

- (i) conduct initial research and identify municipalities with:
 - (A) a population of at least 300,000 people;
 - (B) an annual budget of at least \$3 billion; and
 - (C) a mayor or comparable chief executive that has less control over fiscal policy as compared to the Mayor of Baltimore City; and
- (ii) select at least 4 municipalities from the initial research conducted under paragraph (1) of this subsection and perform an in-dept review of each municipality, that includes:
 - (A) documenting and analyzing the legal mechanisms by which the municipality makes fiscal policy decisions;
 - (B) identifying and analyzing any key changes made to fiscal policy, in the municipality including structural changes, in the past 10 years; and
 - (C) from each municipality, interviewing at least 1 elected official serving from the executive branch of government and 1 elected official from the legislative branch of government.

(2) *City specific research.*

The Task Force shall:

- (i) review delayed payments to City suppliers and the impact of these delays on the delivery of City services;
- (ii) review delayed reimbursements to City employees for work-related expenses and the impact of these delays on the City's ability to retain talent;
- (iii) review delayed payments of earned compensation to City workers who have left City service within the past 5 years; and
- (iv) interview those persons listed below regarding the City's fiscal policy:
 - (A) City officers and employees at 5 City agencies that regularly make submissions to the Board of Estimates
 - (B) each union with which the City currently has an agreement, as identified by the Labor Commissioner;

- (C) at least 2 suppliers that have active contracts with the City in an amount equal to or more than \$5,000, but less than \$24,999;
- (D) at least 2 suppliers that have active contracts with the City in an amount equal to or greater than \$25,000;
- (E) at least 2 nonprofit service providers that have active contracts with the City; and
- (F) at least 2 community-based organizations that engage in advocacy relating to City fiscal policy.

(3) Final report.

The Task Force shall prepare a final report and present the Task Force's findings to:

- (i) the Mayor;
- (ii) the Comptroller;
- (iii) the City Council; and
- (iv) the City Administrator.

§ 2-7. Final report.

(a) *In general.*

On or before December 1, 2023, the Task Force shall submit a final report to the Mayor, the Comptroller, the City Council, and the City Administrator detailing the findings from the performance of the Task Force's duties specified under § 2-6 {"Powers and duties"} of this subtitle.

(b) *Contents.*

In addition to those requirements under subsection (a) of this section the final report shall include:

- (i) a proposal detailing 3 possible alternatives for the composition, structure, and operation of a fiscal policymaking body, of which;
 - (A) at least 1 alternative shall include a Board of Estimates with changes in its composition; and
 - (B) at least 1 alternative shall assume the dissolution of the Board of Estimates and shall reassign the Board of Estimates' powers and duties;
- (ii) transition plans identifying the legal process and shortest feasible timeline for adopting each of the 3 proposed alternative fiscal policy models; and
- (iii) recommendations for changes to rules and regulations promulgated by the Board of Estimates to improve accountability and oversight of the Board of Estimates.

§ 2-8. Community engagement.

(a) *In general.*

Within 60 days of publishing the final report the Task Force shall conduct at least 3 public listening sessions and solicit feedback from individuals on the 3 possible alternatives for the composition, structure, and operation of a fiscal policymaking body.

(b) *Listening session accessibility.*

In addition to those requirements under subsection (a) of this section:

- (1) 1 of the 3 listening sessions shall take place at Baltimore City Hall and shall be offered in a hybrid format wherein an individual may participate either by attending in-person or by attending virtually;
- (2) the other 2 listening sessions shall take place in transportation equity priority zones, as defined by the Department of Transportation;
- (3) all listening sessions shall provide live interpretation in Spanish and American Sign Language, with funding provided by the Office of the City Council President; and
- (4) all listening sessions shall take place in buildings that are in compliance with the Americans with Disabilities Act.

(c) *Listening session documentation.*

Meeting minutes and video and audio recordings of each listening session shall be submitted to the Mayor, City Council President, Comptroller, and each member of the City Council within 5 business days of each session.

Section 2. And be it further ordained, That the Baltimore City Fiscal Policy Democratization Task Force shall first convene within 60 days of the enactment of this Ordinance.

Section 3. And be it further ordained, That the Mayor, the City Council President, and the Comptroller shall submit their nominations to the Task Force to the City Council within 30 days of the enactment of this Ordinance.

Section 4. And be it further ordained, That this Ordinance takes effect on the date it is enacted.