

**CITY OF BALTIMORE
COUNCIL BILL 17-0163
(First Reader)**

Introduced by: President Young, Councilmembers Clarke, Costello, Dorsey, Henry, Middleton,
Bullock, Pinkett, Burnett, Cohen, Stokes, Sneed, Scott, Schleifer

Introduced and read first time: November 13, 2017

Assigned to: Education and Youth Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Children and Youth Fund – Interim Governance and Administration**

3 FOR the purpose of establishing a temporary administrative structure for the Children and Youth
4 Fund established by City Charter Article I, § 13; establishing methods and criteria for
5 identifying specific programs and services eligible for funding by the Fund; establishing
6 methods and criteria for allocating available funds among eligible programs and services;
7 providing for the expiration of the temporary law on July 1, 2019; allowing for a 1 year
8 extension under certain circumstances; setting a special effective date; and generally relating
9 to the administration of the Children and Youth Fund established by City Charter Article I,
10 § 13.

11 BY adding

12 Article 5 - Finance, Property, and Procurement
13 Section(s) 9-1 to 9- 6 to be under the new subtitle designation,
14 “Subtitle 9. Children and Youth Fund”
15 Baltimore City Code
16 (Edition 2000)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Laws of Baltimore City read as follows:

19 **Baltimore City Code**

20 **Article 1. Finance, Property, and Procurement**

21 **SUBTITLE 9. CHILDREN AND YOUTH FUND**

22 **§ 9-1. FUND DEFINED.**

23 IN THIS SUBTITLE “FUND” MEANS THE CHILDREN AND YOUTH FUND ESTABLISHED BY CITY
24 CHARTER ARTICLE I, § 13 {“CHILDREN AND YOUTH FUND”}.

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

Council Bill 17-0163

1 **§ 9-2. USES OF FUND.**

2 (A) *IN GENERAL.*

3 THE FUND MAY BE USED ONLY FOR THE PURPOSES GENERALLY DESCRIBED IN CITY
4 CHARTER ARTICLE I, § 13(A).

5 (B) *INCLUSIONS.*

6 ALLOWED USES FOR THE FUND INCLUDE:

- 7 (1) DIRECT GRANTS TO PROGRAM AND SERVICE PROVIDERS;
- 8 (2) ADMINISTRATIVE COSTS TO OPERATE THE FUND; AND
- 9 (3) CAPACITY-BUILDING EFFORTS TO STRENGTHEN FUND ADMINISTRATION OR THE
10 ABILITY OF PROVIDERS TO SUCCESSFULLY AND SUSTAINABLY OFFER SERVICES TO
11 BALTIMORE’S YOUTH.

12 **§ 9-3. {RESERVED}**

13 **§ 9-4. INTERIM FISCAL AGENT.**

14 (A) *DESIGNATION.*

15 THE PRESIDENT OF THE CITY COUNCIL, IN CONSULTATION WITH THE MAYOR, MAY
16 DESIGNATE AN INTERIM FISCAL AGENT FOR THE FUND.

17 (B) *GENERAL POWERS AND DUTIES.*

18 THE INTERIM FISCAL AGENT MUST:

- 19 (1) IDENTIFY SPECIFIC PROGRAMS AND SERVICES TO BE FUNDED BY THE FUND;
- 20 (2) ALLOCATE THE AVAILABLE FUNDS AMONG THE PROGRAMS AND SERVICES
21 IDENTIFIED FOR FUNDING; AND
- 22 (3) ESTABLISH A PERMANENT INTERMEDIARY, WITH A FOCUS ON YOUTH LEADERSHIP
23 AND GOVERNANCE, CAPABLE OF DISPERSING THE MONEY APPROPRIATED TO THE
24 FUND TO SPECIFIC YOUTH-FOCUSED PROGRAMS AND SERVICES.

25 (C) *IDENTIFYING PROGRAMS AND SERVICES FOR FUNDING.*

- 26 (1) AS IT IDENTIFIES SPECIFIC PROGRAMS AND SERVICES TO BE FUNDED BY THE FUND, THE
27 INTERIM FISCAL AGENT MUST SELECT PROGRAMS AND SERVICES THAT:
- 28 (I) ARE ACTIVE IN BALTIMORE CITY;
- 29 (II) ARE CREDIBLE WITH AND ACCOUNTABLE TO YOUTH AND THE LOCAL
30 COMMUNITIES THEY ARE PROPOSING TO SERVE;

Council Bill 17-0163

1 (III) HAVE AN ELEMENT OF YOUTH-CENTERED PROGRAMMING; AND

2 (IV) CAN DEMONSTRATE HOW THEY ARE DESIGNED TO IMPROVE OUTCOMES FOR
3 YOUNG PEOPLE.

4 (2) THE INTERIM FISCAL AGENT MAY ALSO USE ANY ADDITIONAL FACTORS LISTED IN CITY
5 CHARTER ARTICLE I, § 13(A) TO IDENTIFY SPECIFIC PROGRAMS AND SERVICES TO BE
6 FUNDED BY THE FUND SO LONG AS THE ADDITIONAL FACTORS ARE MADE PUBLICALLY
7 AVAILABLE TO APPLICANTS FOR FUNDING AT THE TIME THAT APPLICATIONS ARE
8 REQUESTED.

9 (D) *ALLOCATION OF FUNDS.*

10 (1) THE INTERIM FISCAL AGENT MAY ALLOCATE UP TO 10% OF THE FUND'S BALANCE TO
11 BE USED FOR:

12 (I) ADMINISTRATIVE COSTS; AND

13 (II) THE COSTS OF ESTABLISHING A PERMANENT INTERMEDIARY AS REQUIRED BY
14 SUBSECTION (B)(3) OF THIS SECTION.

15 (2) THE INTERIM FISCAL AGENT MUST ALLOCATE THE REMAINDER OF THE FUND'S
16 BALANCE AMONG THE PROGRAMS AND SERVICES IDENTIFIED UNDER SUBSECTION (C)
17 OF THIS SECTION WITH AN EMPHASIS ON PROGRAMS OR SERVICES OPERATING IN, OR
18 MEANT TO ASSIST YOUNG PEOPLE FROM, THE COMMUNITIES IN BALTIMORE CITY MOST
19 IMPACTED BY HIGH POVERTY.

20 (E) *PERMANENT INTERMEDIARY PROGRESS REPORTS.*

21 THE INTERIM FISCAL AGENT MUST REPORT TO THE CITY COUNCIL EACH MONTH ON ITS
22 PROGRESS TOWARD ESTABLISHING THE PERMANENT INTERMEDIARY REQUIRED BY
23 SUBSECTION (B)(3) OF THIS SECTION.

24 (F) *REMOVAL.*

25 THE PRESIDENT OF THE CITY COUNCIL MAY REMOVE THE INTERIM FISCAL AGENT AND
26 APPOINT A NEW INTERIM FISCAL AGENT IF, AFTER CONDUCTING A PUBLIC HEARING AND
27 HEARING TESTIMONIAL EVIDENCE, THE PRESIDENT FINDS THAT THE INTERIM FISCAL
28 AGENT IS NOT ADEQUATELY PERFORMING THE DUTIES REQUIRED BY THIS SECTION.

29 **§ 9-5. RULES AND REGULATIONS.**

30 (A) *FINANCE TO ADOPT.*

31 THE DIRECTOR OF FINANCE MUST ADOPT RULES AND REGULATIONS TO CARRY OUT THIS
32 SUBTITLE INCLUDING:

33 (I) A SCHEDULE FOR DISPERSING THE FUND EACH YEAR; AND

Council Bill 17-0163

1 (II) PROCEDURES FOR TRANSFERRING MONEY FROM THE FUND TO EITHER THE INTERIM
2 FISCAL AGENT OR DIRECTLY TO SERVICE AND PROGRAM PROVIDERS DESIGNATED
3 BY THE INTERIM FISCAL AGENT.

4 (B) *FILING*.

5 A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE MUST BE FILED
6 WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY BECOME EFFECTIVE.

7 **§ 9-6. AUTOMATIC TERMINATION.**

8 THIS SUBTITLE AUTOMATICALLY EXPIRES ON JULY 1, 2019, UNLESS THE CITY COUNCIL,
9 AFTER CONDUCTING A PUBLIC HEARING AND HEARING TESTIMONIAL EVIDENCE, FINDS THAT
10 THE PERMANENT INTERMEDIARY REQUIRED BY § 9-4(B)(3) OF THIS SUBTITLE IS NOT YET
11 PREPARED TO ADMINISTER THE FUND, IN WHICH CASE THIS SUBTITLE MAY BE EXTENDED FOR 1
12 ADDITIONAL YEAR.

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

16 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it is
17 enacted.