

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2023, Legislative Day No. 13

Bill No. 40-23

Councilmembers Young, Patoka, Jones & Kach

By the County Council, June 5, 2023

A BILL
ENTITLED

AN ACT concerning

West Baltimore County Redevelopment Authority

FOR the purpose of establishing the West Baltimore County Redevelopment Authority; defining certain terms; establishing the membership, term, and appointment for Authority members; establishing the community advisory committee; delegating certain rights and powers to the Authority; requiring certain corporate governance appointments for the Authority; establishing certain employment terms for Authority agents or employees; setting the fiscal year of the Authority; requiring the preparation and adoption of an annual operating and capital budget and other financial statements for submittal to the County by a certain time; permitting the Authority to establish a capital improvement program, setting certain budgetary requirements for such a program, and requiring prior approval for certain capital projects; permitting the Authority to adopt certain rules and regulations for personnel, purchasing, and bidding procedures; requiring the Authority to adhere to certain local ethics laws and for Authority members to file certain financial

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
 [Brackets] indicate matter stricken from existing law.
 ~~Strike out~~ indicates matter stricken from bill.
 Underlining indicates amendments to bill.

disclosure statements; and generally relating to development and redevelopment and quasi-public authorities and corporations.

By adding

Sections 26-2-101 through 26-2-113
Article 26 – Redevelopment and Revitalization
Title 2 – West Baltimore County Redevelopment Authority
Baltimore County Code, 2015

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County shall read as follows:

3

4 ARTICLE 26 – REDEVELOPMENT AND REVITALIZATION

5 TITLE 2 – WEST BALTIMORE COUNTY REDEVELOPMENT AUTHORITY

6

7 § 26-2-101. PURPOSE AND INTENT.

8 (A) THERE EXISTS WITHIN BALTIMORE COUNTY AREAS IN NEED OF
9 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR
10 REDEVELOPMENT IN FURTHERANCE OF THE PUBLIC BENEFIT AND INTEREST.

11 (B) IN ORDER TO REVITALIZE THESE AREAS OF THE COUNTY IT IS
12 NECESSARY FOR THE COUNTY, IN FURTHERANCE OF THE PUBLIC INTEREST, TO
13 ESTABLISH A SEPARATE AUTHORITY WHOSE PURPOSE IS TO FACILITATE
14 DEVELOPMENT OR REDEVELOPMENT ACQUIRE OR REHABILITATE LAND OR
15 PROPERTY AND RESELL, LEASE-PURCHASE, OR DISPOSE OF LAND OR PROPERTY
16 FOR RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR
17 REDEVELOPMENT.

1 (C) THE REVITALIZATION OF AREAS WITHIN THE COUNTY IN NEED OF
2 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR
3 REDEVELOPMENT IS AN ESSENTIAL GOVERNMENTAL FUNCTION, AND IS A
4 PUBLIC USE WHICH WILL CONFER A PUBLIC BENEFIT ON THE CITIZENS OF THE
5 COUNTY BY:

6 (1) RELIEVING CONDITIONS OF UNEMPLOYMENT;

7 (2) ENCOURAGING THE INCREASE OF INDUSTRY AND COMMERCE
8 AND A BALANCED ECONOMY;

9 (3) ASSISTING IN THE RETENTION OF EXISTING INDUSTRY AND
10 COMMERCE AND IN THE ATTRACTING OF NEW INDUSTRY AND COMMERCE;

11 (4) PROMOTING ECONOMIC DEVELOPMENT AND GROWTH; AND

12 (5) GENERALLY PROMOTING THE HEALTH, WELFARE, AND SAFETY
13 OF THE RESIDENTS OF THE COUNTY.

14 (D) THIS SUBTITLE IS NECESSARY FOR THE REVITALIZATION OF
15 BALTIMORE COUNTY AND THE PUBLIC INTEREST OF ITS CITIZENS AND SHALL
16 BE LIBERALLY CONSTRUED TO EFFECT ITS PURPOSE.

17

18 § 26-2-102. DEFINITIONS.

19 (A) PURSUANT TO § 12-801 OF THE ECONOMIC DEVELOPMENT ARTICLE OF
20 THE ANNOTATED CODE OF MARYLAND, THE FOLLOWING WORDS HAVE THE
21 MEANINGS INDICATED IN THIS SUBTITLE.

1 (B) "AUTHORITY" OR "REDEVELOPMENT AUTHORITY" MEANS THE WEST
2 BALTIMORE COUNTY REDEVELOPMENT AUTHORITY ESTABLISHED UNDER THIS
3 SUBTITLE.

4 (C) "BOND" OR "BONDS" MEANS REVENUE BONDS OR NOTES, INCLUDING
5 BOND ANTICIPATION NOTES AND NOTES IN THE NATURE OF COMMERCIAL
6 PAPER, OR OTHER INSTRUMENTS, CERTIFICATES, OR EVIDENCES OF OBLIGATION
7 ISSUED AND SOLD OR OFFERED FOR SALE BY THE AUTHORITY, INCLUDING
8 REFUNDING OBLIGATIONS.

9 (D) "CAPITAL PROJECT" OR "PROJECT" SHALL MEANS:

10 (1) ANY PHYSICAL PUBLIC BETTERMENT OR IMPROVEMENT BY THE
11 AUTHORITY;

12 (2) THE ACQUISITION OF PROPERTY OF A PERMANENT NATURE FOR
13 USE IN ACCORDANCE WITH THE PURPOSES AND POWERS OF THE AUTHORITY;
14 OR

15 (3) THE PURCHASE OF EQUIPMENT FOR ANY PUBLIC BETTERMENT
16 OR IMPROVEMENT WHEN FIRST CONSTRUCTED BY THE AUTHORITY.

17 (E) "COST" MEANS THE COST OR EXPENSE ASSOCIATED WITH:

18 (1) ALL LAND, PROPERTY, RIGHTS, EASEMENTS, FRANCHISES, AND
19 LICENSES OR INTERESTS THEREIN DEEMED NECESSARY FOR ANY UNDERTAKING
20 AUTHORIZED BY THIS SUBTITLE;

21 (2) ALL LABOR, MATERIALS, MACHINERY, FURNISHINGS, AND
22 EQUIPMENT;

23 (3) FINANCING CHARGES;

- 1 (4) ESTABLISHMENT OF RESERVES;
- 2 (5) INTEREST PRIOR TO AND DURING CONSTRUCTION AND FOR A
- 3 REASONABLE PERIOD AFTER COMPLETION OF CONSTRUCTION;
- 4 (6) ENGINEERING, ARCHITECTURAL, AND LEGAL SERVICES;
- 5 (7) PLANS, SPECIFICATIONS, SURVEYS, ESTIMATES OF COSTS AND
- 6 OF REVENUES, AND OTHER EXPENSES NECESSARY OR INCIDENT TO
- 7 DETERMINING THE FEASIBILITY OR PRACTICALITY OF ANY LAND OR PROPERTY
- 8 ACQUISITION OR ANY DEVELOPMENT OR REDEVELOPMENT PROJECT;
- 9 (8) ADMINISTRATIVE EXPENSES;
- 10 (9) LETTERS OR LINES OF CREDIT, MUNICIPAL BOND INSURANCE,
- 11 OR ANY OTHER FORM OF FINANCIAL GUARANTY OR SURETY;
- 12 (10) WORKING CAPITAL; AND
- 13 (11) OTHER EXPENSES AS MAY BE NECESSARY OR INCIDENTAL TO
- 14 THE ACQUISITION OF LAND OR PROPERTY, OR THE DEVELOPMENT OR
- 15 REDEVELOPMENT, INCLUDING THE COMPREHENSIVE RENOVATION OR
- 16 REHABILITATION, OF LAND OR PROPERTY IN ACCORDANCE WITH THIS
- 17 SUBTITLE.

18 (F) "COUNTY" MEANS BALTIMORE COUNTY.

19 (G) "WEST BALTIMORE COUNTY" MEANS THE GEOGRAPHIC AREA OF
20 BALTIMORE COUNTY WITHIN THE BOUNDARY LINE OF LIBERTY ROAD IN THE
21 NORTH, BALTIMORE NATIONAL PIKE IN THE SOUTH, ROLLING ROAD IN THE
22 WEST, AND THE LINE BETWEEN BALTIMORE COUNTY AND BALTIMORE CITY IN

1 THE EAST, ALONG WITH ALL CONTIGUOUS PARCELS FOR ONE BLOCK, EXCEPT
2 AT THE BOUNDARY LINE BETWEEN BALTIMORE COUNTY AND BALTIMORE CITY.

3

4 § 26-2-103. AUTHORITY ESTABLISHED.

5 THERE IS HEREBY CREATED, AS A DISTINCT AND SEPARATE ENTITY,
6 PURSUANT TO § 12-804 OF THE ECONOMIC DEVELOPMENT ARTICLE OF THE
7 ANNOTATED CODE OF MARYLAND, AS ENACTED BY CHAPTER 717 OF THE LAWS
8 OF MARYLAND, 2021, A BODY CORPORATE AND POLITIC AND AN
9 INSTRUMENTALITY OF THE COUNTY KNOWN AS THE WEST BALTIMORE COUNTY
10 REDEVELOPMENT AUTHORITY.

11

12 § 26-2-104. POWERS.

13 (A) (1) PURSUANT TO § 12-806(A) OF THE ECONOMIC DEVELOPMENT
14 ARTICLE OF THE ANNOTATED CODE OF MARYLAND, ALL POWERS GRANTED TO
15 THE COUNTY UNDER § 12-803 OF THE ECONOMIC DEVELOPMENT ARTICLE ARE
16 DELEGATED TO THE REDEVELOPMENT AUTHORITY.

17 (2) THE AUTHORITY MAY EXERCISE ALL POWERS SET FORTH IN §§
18 12-807, AND 12-810 THROUGH 12-812 OF THE ECONOMIC DEVELOPMENT ARTICLE
19 TO CARRY OUT THE PURPOSES OF THE AUTHORITY.

20 (B) (1) PURSUANT TO § 12-806(C) OF THE ECONOMIC DEVELOPMENT
21 ARTICLE THE COUNTY MAY NOT DELEGATE THE POWER OF EMINENT DOMAIN
22 TO THE AUTHORITY.

1 (2) THE AUTHORITY MAY MAKE RECOMMENDATIONS TO THE
2 COUNTY ON ISSUES RELATED TO THE COUNTY’S POWER OF EMINENT DOMAIN.

3 (C) THE AUTHORITY MAY NOT BE DEEMED A MUNICIPAL CORPORATION
4 AS DEFINED BY ARTICLE XI-E OF THE MARYLAND CONSTITUTION.

5 (D) THE DELEGATION OR RESERVATION OF THE POWERS PROVIDED FOR
6 IN THIS SECTION IS NONEXCLUSIVE, AND THE COUNTY SHALL HAVE THE RIGHT
7 TO EXERCISE SUCH POWERS IN ACCORDANCE WITH § 12-806 OF THE ECONOMIC
8 DEVELOPMENT ARTICLE.

9 (E) THE POWERS GRANTED PURSUANT TO STATE LAW AND THIS SUBTITLE
10 SHALL BE REGARDED AS SUPPLEMENTAL AND ADDITIONAL TO POWERS
11 CONFERRED BY OTHER LAWS, AND MAY NOT BE REGARDED AS IN DEROGATION
12 OF ANY POWERS NOW EXISTING.

13 (F) THE AUTHORITY SHALL HAVE A RIGHT OF FIRST REFUSAL:

14 (1) TO PURCHASE COUNTY-OWNED PROPERTY WITHIN WEST
15 BALTIMORE COUNTY AT THE EXACT SAME TERMS AND CONDITIONS
16 CONTAINED IN A BONA FIDE CONTRACT OF SALE THAT THE COUNTY HAS
17 RECEIVED FROM ANOTHER PROSPECTIVE BUYER; AND

18 (2) FOR A NON-RESIDENTIAL PROPERTY WITHIN WEST BALTIMORE
19 COUNTY THAT WAS SUBJECT TO FORECLOSURE AND SUBSEQUENTLY OWNED
20 BY THE COUNTY, TO RECEIVE TITLE WITHOUT ANY BALTIMORE COUNTY LIENS
21 OR OTHER ENCUMBRANCES, WITHIN WEST BALTIMORE COUNTY FROM
22 BALTIMORE COUNTY.

1 (G) UNLESS OTHERWISE SPECIFIED IN THIS SUBTITLE, THE AUTHORITY
2 HAS AND MAY EXERCISE ALL THE POWERS, AUTHORITY, RIGHTS, AND
3 OBLIGATIONS GRANTED TO IT BY STATE LAW OR REGULATION THAT ARE
4 NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THE
5 AUTHORITY.

6
7 § 26-2-105. MEMBERSHIP.

8 (A) (1) THE REDEVELOPMENT AUTHORITY SHALL CONSIST 11 PUBLIC
9 MEMBERS AND 9 EX OFFICIO MEMBERS.

10 (2) EXCEPT UNDER SUBSECTION (C) OF THIS SECTION, EX OFFICIO
11 MEMBERS SHALL BE NON VOTING MEMBERS AND PUBLIC MEMBERS SHALL BE
12 VOTING MEMBERS.

13 (B) THE EX OFFICIO MEMBERS SHALL CONSIST OF:

14 (1) EACH MEMBER OF THE SENATE OF MARYLAND WHOSE
15 LEGISLATIVE DISTRICT INCLUDES A PORTION OF WEST BALTIMORE COUNTY;

16 (2) ONE MEMBER OF THE MARYLAND HOUSE OF DELEGATES FROM
17 EACH LEGISLATIVE DISTRICT THAT INCLUDES A PORTION OF WEST BALTIMORE
18 COUNTY, DESIGNATED BY THE SPEAKER OF THE HOUSE;

19 (3) EACH COUNTY COUNCIL MEMBER WHOSE DISTRICT INCLUDES A
20 PORTION OF WEST BALTIMORE COUNTY;

21 (4) THE COUNTY ADMINISTRATIVE OFFICER; AND

22 (5) ONE MEMBER APPOINTED BY THE COUNTY EXECUTIVE.

1 (C) (1) FOR THE PURPOSES OF THIS SUBSECTION ONLY, “THE COUNTY”
2 SHALL BE CONSTRUED TO MEAN THE COUNTY EXECUTIVE OF BALTIMORE
3 COUNTY.

4 (2) THE PUBLIC MEMBERS SHALL CONSIST OF 11 INDIVIDUALS
5 APPOINTED BY THE COUNTY FROM A SLATE PREPARED BY THE EX OFFICIO
6 MEMBERS.

7 (3) THE SLATE OF PUBLIC MEMBERS DESCRIBED UNDER
8 SUBSECTION(C)(2) OF THIS SECTION SHALL BE:

9 (I) THE PRODUCT OF AT LEAST ONE INDIVIDUAL
10 RECOMMENDED FROM EACH EX OFFICIO MEMBER; AND

11 (II) DECIDED BY A MAJORITY VOTE OF THE EX OFFICIO
12 MEMBERS.

13 (4) EACH EX-OFFICIO MEMBER SHALL MAKE A GOOD FAITH EFFORT
14 TO CONSIDER CANDIDATES THAT RESIDE IN WEST BALTIMORE COUNTY.

15 (D) PUBLIC MEMBERS ARE SUBJECT TO THE FOLLOWING:

16 (1) A PUBLIC MEMBER MUST BE A RESIDENT OF COUNCILMANIC
17 DISTRICTS 1, 2, OR 4.

18 (2) THE TERM FOR A PUBLIC MEMBER IS 4 YEARS.

19 (3) A PUBLIC MEMBER MAY NOT SERVE MORE THAN 2
20 CONSECUTIVE TERMS.

21 (4) A PUBLIC MEMBER MAY BE REMOVED FOR CAUSE BY THE
22 COUNTY EXECUTIVE OR BY THE AFFIRMATIVE VOTE OF A MAJORITY OF THE
23 COUNTY COUNCIL.

1 (5) A PUBLIC MEMBER SHALL BE ENTITLED TO, AT MINIMUM, A
2 REASONABLE STIPEND FOR RELEVANT EXPENSES, INCLUDING TRAVEL AND
3 CHILDCARE.

4 (6) THE VACANCY OF A PUBLIC MEMBER SHALL BE FILLED FOR THE
5 UNEXPIRED TERM IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

6 (7) (I) A PUBLIC MEMBER SHALL SERVE UNTIL A SUCCESSOR IS
7 CONFIRMED EVEN THOUGH THE PERIOD OF SERVICE MAY EXTEND BEYOND THE
8 4 YEAR TERM.

9 (II) ALL OFFICIAL ACTS AND VOTES OF ANY PUBLIC MEMBER
10 DURING THE PERIOD OF EXTENDED SERVICE SHALL BE VALID AS IF THE
11 MEMBER WERE WITHIN THE 4 YEAR TERM.

12 (E) AT LEAST ANNUALLY, THE PUBLIC MEMBERS SHALL ELECT FROM
13 AMONGST THEMSELVES 2 MEMBERS TO SERVE AS CHAIR AND VICE CHAIR.

14 (F) ALL MATTERS VOTED UPON BY THE AUTHORITY SHALL REQUIRE A
15 QUORUM OF AT LEAST 6 PUBLIC MEMBERS OF THE AUTHORITY.

16

17 § 26-2-106. OFFICERS; EMPLOYEES.

18 (A) (1) THE REDEVELOPMENT AUTHORITY ~~MAY~~ SHALL APPOINT AN
19 EXECUTIVE DIRECTOR, WHO MAY APPOINT A SECRETARY-TREASURER, AND
20 GENERAL COUNSEL, WHO OR ANY OTHER EMPLOYEES OR AGENTS THAT MAY
21 BE NECESSARY TO STAFF THE AUTHORITY. EMPLOYEES OF THE AUTHORITY
22 NEED NOT BE MEMBERS OF THE AUTHORITY.

1 (2) THE AUTHORITY MAY APPOINT AND REMOVE SUCH OTHER
2 EMPLOYEES OR AGENTS AS THE AUTHORITY DEEMS NECESSARY.

3 (B) ~~UNTIL THE AUTHORITY APPOINTS AN EXECUTIVE DIRECTOR,~~
4 ~~SECRETARY-TREASURER, AND GENERAL COUNSEL FOR THE AUTHORITY, THE~~
5 ~~CHIEF ADMINISTRATIVE OFFICER, DIRECTOR OF THE OFFICE OF BUDGET AND~~
6 ~~FINANCE, AND COUNTY ATTORNEY SHALL SERVE, RESPECTIVELY, IN SUCH~~
7 ~~CAPACITIES. THE COUNTY EXECUTIVE MAY DESIGNATE COUNTY EMPLOYEES~~
8 ~~TO SUPPORT THE AUTHORITY ON AN INTERIM BASIS UPON THE REQUEST OF THE~~
9 ~~AUTHORITY.~~

10 (C) THE AUTHORITY MAY DELEGATE TO ONE OR MORE OF ITS MEMBERS,
11 OR TO THE OFFICERS, AGENTS, OR EMPLOYEES OF THE AUTHORITY, SUCH
12 POWERS AND DUTIES AS THE AUTHORITY MAY DEEM NECESSARY, SO LONG AS
13 SUCH DELEGATION IS NOT INCONSISTENT WITH THE PROVISIONS OF THIS
14 SUBTITLE.

15
16 § 26-2-107. OPERATING PROCEDURES.

17 (A) (1) THE AUTHORITY SHALL ADOPT BY RESOLUTION RULES AND
18 REGULATIONS IMPLEMENTING PERSONNEL, PURCHASING, AND BIDDING
19 PROCEDURES.

20 (2) SUCH REGULATIONS SHALL ENCOURAGE MINORITY AND
21 WOMEN OWNED BUSINESS PARTICIPATION AND MAY CONTAIN REASONABLE
22 EXCEPTIONS FROM ANY COMPETITIVE BIDDING REQUIREMENTS AS
23 DETERMINED BY THE AUTHORITY.

1 (B) THE REDEVELOPMENT AUTHORITY MAY MAKE RULES AND
2 REGULATIONS FOR THE OPERATION AND USE OF LAND, PROPERTY, AND
3 UNDERTAKINGS THE AUTHORITY’S JURISDICTION.

4 (C) UNLESS OTHERWISE SPECIFIED BY STATE OR LOCAL LAW, THE
5 AUTHORITY MAY TAKE ACTION BY RESOLUTION WITH RESPECT TO ANY
6 MATTERS WITHIN ITS JURISDICTION.

7
8 § 26-2-108. PUBLIC INPUT PROCESS; NOTIFICATION.

9 (A) PRIOR TO RELEASING ANY REQUEST OR PROCESS SET FORTH IN
10 SUBSECTION (C) OF THIS SECTION, THE REDEVELOPMENT AUTHORITY SHALL
11 CONDUCT A COMMUNITY MEETING TO REVIEW AND DISCUSS THE VISION AND
12 SCOPE OF A PROPERTY OR PROJECT.

13 (B) THE AUTHORITY SHALL PROVIDE WRITTEN NOTICE OF EACH
14 COMMUNITY MEETING TO:

15 (1) THE COUNTY COUNCIL, WITH PARTICULAR NOTICE TO THE
16 COUNCILMEMBER WHOSE DISTRICT THE PROPERTY OR PROJECT SITS;

17 (2) THE ADJOINING PROPERTY OWNERS; AND

18 (3) THOSE DEPARTMENTS, AGENCIES, ORGANIZATIONS, AND
19 RESIDENTS WHICH THE AUTHORITY REASONABLY BELIEVES MAY HAVE AN
20 INTEREST IN THE PROPERTY OR PROJECT.

21 (C) THE NOTICE SHALL BE SENT AT LEAST 30 DAYS BEFORE THE RELEASE
22 OF ANY:

23 (1) REQUEST FOR PROPOSAL;

1 (2) REQUEST FOR QUALIFICATIONS;
2 (3) REQUEST FOR SOLICITATION; OR
3 (4) OTHER PROCESS FOR THE DEVELOPMENT, REDEVELOPMENT,
4 SALE, LEASE, CONVEYANCE, TRANSFER, OR OTHERWISE DISPOSITION OF
5 AUTHORITY PROPERTY OR PROJECT.

6 (D) THE NOTICE SHALL ADEQUATELY DESCRIBE THE PROPERTY OR
7 PROJECT AND SHALL CONTAIN A STATEMENT OF ITS:

8 (1) ACQUISITION COST;
9 (2) DATE OF ACQUISITION;
10 (3) PRESENT ASSESSMENT VALUE; AND
11 (4) WHERE PROPOSED FOR PRIVATE SALE, THE PROPOSED SALE
12 PRICE.

13 (E) A THE RELEASE OF A REQUEST OR PROCESS SET FORTH IN
14 SUBSECTION (C) OF THIS SECTION SHALL EXPIRE ONE YEAR FROM THE DATE OF
15 ITS RELEASE.

16
17 § 26-2-109. FISCAL YEAR.

18 THE FISCAL YEAR OF THE REDEVELOPMENT AUTHORITY SHALL BE FROM
19 JULY 1 THROUGH JUNE 30.

20
21 § 26-2-110. OPERATING BUDGET – SUBMITTAL TO COUNTY EXECUTIVE.

22 (A) FOLLOWING APRIL 15 OF EACH YEAR BUT ONE MONTH BEFORE THE
23 START OF THE NEXT FISCAL YEAR, THE REDEVELOPMENT AUTHORITY SHALL

1 PREPARE AND SUBMIT TO THE COUNTY EXECUTIVE A PROPOSED OPERATING
2 BUDGET FOR THE NEXT FISCAL YEAR IN SUCH FORMAT AS THE COUNTY
3 EXECUTIVE MAY DIRECT.

4 (B) THE OPERATING BUDGET SHALL CONTAIN A STATEMENT OF ALL
5 REVENUE ESTIMATED TO BE RECEIVED BY THE AUTHORITY DURING THE
6 ENSUING FISCAL YEAR, CLASSIFIED SO AS TO SHOW:

7 (1) THE RECEIPTS BY FUNDS AND SOURCES OF INCOME;

8 (2) A STATEMENT OF ANY DEBT SERVICE REQUIREMENTS FOR THE
9 ENSUING FISCAL YEAR;

10 (3) A STATEMENT OF THE ESTIMATED CASH SURPLUS, IF ANY,
11 AVAILABLE FOR EXPENDITURE DURING THE ENSUING FISCAL YEAR;

12 (4) A STATEMENT OF ANY ESTIMATED DEFICIT REQUIRED TO BE
13 MADE UP IN THE ENSUING FISCAL YEAR;

14 (5) AN ESTIMATE OF THE AMOUNTS THE AUTHORITY DEEMS
15 NECESSARY FOR CONDUCTING THE BUSINESS OF THE AUTHORITY TO BE
16 FINANCED FROM ESTIMATED REVENUE FOR THE ENSUING FISCAL YEAR;

17 (6) A STATEMENT OF THE BONDED AND OTHER INDEBTEDNESS OF
18 THE AUTHORITY;

19 (7) A STATEMENT OF ANY CONTINGENCY RESERVE WHICH SHALL
20 REMAIN UNAPPROPRIATED;

21 (8) A COMPARATIVE STATEMENT OF THE RECEIPTS, AMOUNTS
22 BUDGETED, AND ANNUAL EXPENDITURES FOR THE LAST COMPLETED FISCAL
23 YEAR;

1 (9) A STATEMENT OF ALL PROPOSED EXPENDITURES FOR, AND
2 ESTIMATED REVENUE FROM, LEASES, SUBLEASES, AND SIMILAR REAL ESTATE
3 TRANSACTIONS; AND

4 (10) SUCH ADDITIONAL INFORMATION AS THE COUNTY EXECUTIVE
5 MAY REQUIRE.

6 (C) (1) IF THE PROPOSED OPERATING BUDGET INCLUDES ANY ITEM TO
7 BE FUNDED FROM PAYMENTS, WHETHER BY LEASE PAYMENTS, GRANT, OR
8 OTHERWISE, TO BE RECEIVED FROM THE COUNTY, THE ANTICIPATED RECEIPT
9 OR RECEIPTS SHALL BE IDENTIFIED FOR EACH ITEM, AND A COPY OF THE
10 RESPECTIVE PROPOSED BUDGET SHALL BE SUBMITTED TO THE COUNTY
11 EXECUTIVE AND COUNTY COUNCIL FOR THEIR REVIEW AND COMMENT.

12 (2) THE AUTHORITY MAY MAKE SUCH MODIFICATION TO THE
13 PROPOSED BUDGET AS MAY BE DEEMED APPROPRIATE IN RESPONSE TO THE
14 COMMENTS OF THE COUNTY EXECUTIVE OR COUNTY COUNCIL.

15

16 § 26-2-111. SAME – ADOPTION; AMENDMENT.

17 (A) ON OR BEFORE JUNE 1 OF EACH YEAR, THE REDEVELOPMENT
18 AUTHORITY SHALL ADOPT THE OPERATING BUDGET OF THE AUTHORITY FOR
19 THE NEXT FISCAL YEAR.

20 (B) (1) THE AUTHORITY MAY AMEND THE OPERATING BUDGET AT ANY
21 REGULAR OR SPECIAL MEETING.

1 (2) EACH MEMBER SHALL RECEIVE A COPY OF THE PROPOSED
2 AMENDMENT WITH ACCOMPANYING JUSTIFICATION NOT LESS THAN 72 HOURS
3 PRIOR TO THE MEETING.

4 (3) IF A PROPOSED BUDGET AMENDMENT INCLUDES AN INCREASE
5 IN ANY ANTICIPATED RECEIPT FROM THE COUNTY OR THE DELETION OF ANY
6 FACILITY OF WHICH THE COUNTY IS TO BE A USER, COPIES OF THE PROPOSED
7 BUDGET AMENDMENT SHALL BE SUBMITTED TO THE COUNTY EXECUTIVE AND
8 COUNTY COUNCIL FOR THEIR REVIEW AND COMMENT AT LEAST 30 DAYS PRIOR
9 TO ITS ADOPTION.

10 (C) THE OPERATING BUDGET OF THE AUTHORITY SHALL BE BALANCED
11 AT ALL TIMES.

12

13 § 26-2-112. CAPITAL IMPROVEMENT PROGRAM.

14 (A) (1) THE CAPITAL IMPROVEMENT PROGRAM OF THE
15 REDEVELOPMENT AUTHORITY SHALL CONSIST OF ALL CAPITAL PROJECTS
16 APPROVED UNDER THIS SECTION.

17 (2) THE AUTHORITY MAY PROPOSE TO THE COUNTY EXECUTIVE
18 PROJECTS FOR INCLUSION IN THE AUTHORITY’S CAPITAL IMPROVEMENT
19 PROGRAM.

20 (3) A CAPITAL PROJECT MAY NOT BE PROPOSED UNLESS IT IS
21 PROPOSED TO BE COMMENCED WITHIN THE NEXT 6 FISCAL YEARS.

1 (4) A CAPITAL PROJECT MAY NOT COMMENCE WITHOUT PRIOR
2 AUTHORIZATION OF THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL AS
3 SPECIFIED IN THIS SECTION.

4 (B) A PROPOSAL SHALL INCLUDE THE FOLLOWING INFORMATION:

5 (1) A DESCRIPTION OF THE PROJECT, INCLUDING AN
6 IDENTIFICATION OF THE GENERAL LOCATION OF THE PROJECT;

7 (2) ANTICIPATED SOURCES OF FUNDING FOR THE PROJECT;

8 (3) ESTIMATED COST OF THE PROJECT;

9 (4) A STATEMENT OF THE RELATIONSHIP BETWEEN THE PROJECT
10 AND ANY PROJECT INCLUDED IN THE COUNTY’S CAPITAL IMPROVEMENT
11 PROGRAM; AND

12 (5) A SCHEDULE OF ANTICIPATED EXPENDITURES OF FUNDS BY
13 FISCAL YEAR.

14 (C) THE COUNTY EXECUTIVE SHALL REVIEW AND MAY APPROVE A
15 REQUEST OF THE AUTHORITY FOR THE INCLUSION OF ONE OR MORE CAPITAL
16 PROJECTS IN THE AUTHORITY’S CAPITAL IMPROVEMENT PROGRAM.

17 (D) (1) THE COUNTY EXECUTIVE SHALL TRANSMIT ANY APPROVED
18 PROJECT TO THE COUNTY COUNCIL FOR ITS APPROVAL BY RESOLUTION.

19 (2) THE COUNTY EXECUTIVE MAY PROPOSE AND TRANSMIT
20 ADDITIONAL PROJECTS FOR INCLUSION IN THE AUTHORITY’S CAPITAL
21 IMPROVEMENT PROGRAM FOR APPROVAL BY THE COUNTY COUNCIL.

1 (3) A PROJECT PROPOSED BY THE COUNTY EXECUTIVE FOR
2 INCLUSION IN THE AUTHORITY’S CAPITAL IMPROVEMENT PROGRAM SHALL
3 CONFORM TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION.

4 (E) (1) PRIOR TO THE ADOPTION OF THE RESOLUTION APPROVING THE
5 AUTHORITY’S CAPITAL IMPROVEMENT PROGRAM, THE COUNTY COUNCIL MAY
6 AMEND OR STRIKE ANY PROPOSED PROJECT.

7 (2) THE COUNTY COUNCIL MAY ADD ANY PROJECT PROPOSED BY
8 THE AUTHORITY BUT NOT APPROVED BY THE COUNTY EXECUTIVE BY AN
9 AFFIRMATIVE VOTE OF A MAJORITY OF THE COUNTY COUNCIL.

10 (F) WHERE MODIFICATIONS ARE REQUIRED TO A CAPITAL PROJECT, THE
11 CAPITAL IMPROVEMENT PROGRAM SHALL BE AMENDED IN THE SAME MANNER
12 AS ORIGINALLY APPROVED.

13
14 § 26-2-113. CAPITAL BUDGET.

15 (A) THE CAPITAL BUDGET OF THE REDEVELOPMENT AUTHORITY FOR
16 EACH FISCAL YEAR SHALL CONSIST OF THE EXPENDITURE OF FUNDS PROPOSED
17 BY THE AUTHORITY FOR ALL APPROVED CAPITAL PROJECTS IN THE CAPITAL
18 IMPROVEMENT PROGRAM FOR THAT FISCAL YEAR.

19 (B) NOTHING IN THIS SECTION SHALL BE DEEMED TO AUTHORIZE THE
20 AUTHORITY TO EXPEND ANY FUNDS ON ANY CAPITAL PROJECT BEYOND THE 6-
21 YEAR PERIOD SPECIFIED IN THE AUTHORITY’S CURRENT CAPITAL
22 IMPROVEMENT PROGRAM.

1 (C) (1) AN APPROPRIATION FOR A CAPITAL PROJECT IN THE CAPITAL
2 BUDGET OF THE AUTHORITY MAY NOT LAPSE UNTIL THE PURPOSE FOR WHICH
3 THE APPROPRIATION WAS MADE IS DECLARED TO BE ACCOMPLISHED OR
4 DECLARED TO BE ABANDONED BY THE AUTHORITY.

5 (2) THE BALANCES REMAINING TO THE CREDIT OF THE COMPLETED
6 OR ABANDONED CAPITAL PROJECTS BEING LAPSED SHALL BE AVAILABLE FOR
7 APPROPRIATION BY THE COUNTY IN ACCORDANCE WITH THE REQUIREMENTS
8 OF THIS SUBTITLE.

9 (D) TRANSFERS OF APPROPRIATIONS BETWEEN CAPITAL PROJECTS IN THE
10 AUTHORITY'S CAPITAL BUDGET OR CAPITAL IMPROVEMENT PROGRAM MAY BE
11 AUTHORIZED BY RESOLUTION OF THE COUNTY COUNCIL UPON REQUEST OF THE
12 AUTHORITY AND UPON CONCURRENCE OF THE COUNTY EXECUTIVE.

13

14 § 26-2-114. REPORTING.

15 (A) (1) NO LATER THAN APRIL 15 OF EACH YEAR, THE REDEVELOPMENT
16 AUTHORITY SHALL ISSUE A PROGRESS REPORT TO THE GENERAL PUBLIC.

17 (2) THE PROGRESS REPORT MAY DETAIL ANY MAJOR
18 ACCOMPLISHMENTS OF THE AUTHORITY IN THE PREVIOUS YEAR, INCLUDING:

- 19 (I) THE COMPLETION OF ANY MAJOR PROJECTS;
20 (II) DESCRIPTIONS OF PUBLIC PARTICIPATION;
21 (III) COMMUNITY BENEFITS FROM AUTHORITY INITIATIVES;
22 (IV) DETAILS ON UPCOMING PROJECTS; OR

1 (IV) ANY OTHER NEWS OR RELEVANT INFORMATION THAT
2 MAY BE OF INTEREST TO THE GENERAL PUBLIC ABOUT THE AUTHORITY.

3 (B) (1) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE AUTHORITY
4 SHALL SUBMIT TO THE COUNTY EXECUTIVE AND COUNTY COUNCIL A
5 FINANCIAL STATEMENT OF ITS FINANCIAL CONDITION AND RESULTS OF ITS
6 OPERATIONS FOR THE MOST RECENTLY COMPLETED FISCAL YEAR.

7 (2) THE FINANCIAL STATEMENT SHALL BE PREPARED IN
8 ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES AND
9 SHALL BE AUDITED BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT.

10 (C) THE AUTHORITY SHALL PROVIDE SUCH OTHER REPORTS AS THE
11 COUNTY EXECUTIVE OR COUNTY COUNCIL MAY REQUIRE.

12 (D) IF THE AUTHORITY DOES NOT PRODUCE THE REQUIRED FINANCIAL
13 STATEMENT OR OTHER REQUIRED RECORDS, THE DIRECTOR OF BUDGET AND
14 FINANCE AND COUNTY ATTORNEY MAY EXAMINE, AT THE EXPENSE OF THE
15 AUTHORITY, THE BOOKS, ACCOUNTS AND RECORDS OF THE AUTHORITY,
16 INCLUDING ITS RECEIPTS, DISBURSEMENTS, CONTRACTS, LEASES, SINKING
17 FUNDS, INVESTMENTS AND ANY OTHER MATTERS RELATING TO ITS FINANCES,
18 OPERATION, AND AFFAIRS.

19
20 § 26-2-115. CONFLICTS OF INTEREST; ETHICS TRAINING AND DISCLOSURE.

21 (A) THE REDEVELOPMENT AUTHORITY AS WELL AS ITS MEMBERS,
22 OFFICERS, EMPLOYEES, AND AGENTS SHALL COMPLY WITH THE PROVISIONS OF

1 TITLE 1, ARTICLE 7 OF THE CODE WITH REGARD TO CONFLICTS OF INTEREST
2 AND ETHICAL CONSIDERATIONS INVOLVING THE AUTHORITY.

3 (B) UNLESS OTHERWISE REQUIRED BY STATE OR LOCAL LAW, MEMBERS
4 AND OFFICERS OF THE AUTHORITY SHALL:

5 (1) ANNUALLY COMPLETE THE ETHICS TRAINING REQUIRED UNDER
6 § 7-1-203 OF THE CODE; AND

7 (2) FILE FINANCIAL DISCLOSURE STATEMENTS PURSUANT TO
8 SUBTITLE 4, TITLE 1, ARTICLE 7 OF THE CODE.

9

10 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days
11 after its enactment.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell