

## **Section 1. Charter Amendment – Baltimore Regional Transportation Authority Mandate Fund**

### **BY Proposing to amend:**

Article I – General Provisions

Section 17

Baltimore City Charter

The City Charter is proposed to be amended to read as follows:

### **Baltimore City Charter**

#### **Article I. General Provisions**

#### **17. Baltimore Regional Transportation Authority Mandate Fund**

(A) Fund established; scope.

There is a continuing, nonlapsing fund, the Baltimore Regional Transportation Authority Mandate Fund (TAMF). The TAMF shall be overseen, governed, and administered by a TAMF Commission whose eleven members shall be appointed by the Mayor of the City of Baltimore and confirmed by the Council of the City of Baltimore pursuant to the provisions of Article IV, Section 6. of the Baltimore City Charter;

(B) The TAMF shall be used to:

Promote, negotiate, conclude, and maintain a Compact in which the City of Baltimore and other jurisdictions in the Baltimore region agree to seek enabling legislation to secure the formation of a Baltimore Regional Transportation Authority (BRTA);

(C) Revenue sources for the TAMF established by this Section may include:

- (1) A mandatory annual appropriation in the Ordinance of Estimates to the TAMF of an amount not less than \$1,000,000;
- (2) Grants and donations made to the TAMF including state and federal grants and grants from regional member jurisdictions and other grants and donations from public or private sources;
- (3) Mandatory and voluntary payments made pursuant to ordinances establishing transportation system and transit-oriented land use and community, city, and regional economic development policy;
- (4) Tax increment financing revenue, taxes, fees, fines, assessments, revenues from a real estate portfolio acquired and reserved to the use of the TAMF, and any other source

established by ordinance. These allocation methods are not subject to discretion in the budget process, other fiscal priorities or constraints imposed by revenue limitations.

(D) Continuing nature of the TAMF;

Notwithstanding any other provision of this Charter, unspent portions of the TAMF established under this section, repayments of principal and interest on loans provided from the TAMF and interest earned from the deposit or investment of monies from the TAMF:

- (1) Shall remain in the TAMF, to be used exclusively for the purposes set forth in Section 17. (B) of this article;
- (2) Do not revert to the general revenues of the City; and
- (3) Any appropriations do not lapse.

(E) The TAMF shall be overseen and administered by a Commission, the TAMF Commission, consisting of eleven members, who shall be appointed, confirmed, and shall serve as provided in Article IV, Section 6.

Except for the office of President, the Commission members will select their own officers, determine the TAMF Commission's rules and procedures for governance and operations, and submit an annual budget proposal to the Mayor and Council of the City of Baltimore to support and fund the TAMF Commission's operations and discharge of its duties. No funds may be dispersed from the TAMF without authorization by the Commission;

- (1) Unless amended by the Mayor and City Council, the TAMF Commission shall include a member:
  - (i) with experience in the fields of transportation systems policy, and public transportation system administration;
  - (ii) with experience in the fields of transportation system planning, light rail project design, construction, and engineering;
  - (iii) with experience in transportation system finance, transit-oriented-land use, and community economic development;
  - (iv) with experience in and knowledge of the operation and administration of regional transportation authorities;
  - (v) representing an organization advocating for the interests of Baltimore City business owners;
  - (vi) who is a community-based advocate for an equitable, reliable, multi-modal, transportation system anchored by light rail and transit-oriented-development;
  - (vii) who is a transit-dependent transportation system rider and mass transportation system advocate;

(viii) who has knowledge of transportation's impact on public health, the environment, housing, and employment.

(ix) who is the Director of the Baltimore City Department of Transportation;

(x) who is the Chair of the Baltimore City Council Committee on Transportation;

(xi) who is the President of the Amalgamated Transit Union Local 1300;

(2) Notwithstanding any provision to the contrary, the composition of the Commission shall include at least five residents of Baltimore City, reflect racial, ethnic, and ability diversity, and at least five women and/or gender non-binary persons.

(3) President:

The Mayor of the City of Baltimore shall designate one member of the TAMF Commission as its President and may withdraw that designation and so designate another member.

(4) Duties:

Among its duties, the TAMF Commission shall:

(i) Study regional transportation authorities (RTAs), particularly their formation, powers, duties, governance, and impacts on transit equity, transit-oriented land use, public engagement in transportation policy formation, and regional economies;

(ii) Educate and inform the general public about the role of RTAs in the planning, construction, governance, administration, operation, maintenance, and funding of regional transportation systems across the nation;

(iii) Assess the state of central Maryland's transportation systems, particularly their governance, services, projects, budgets, financing, ridership trends, and plans;

(iv) Collaborate with regional jurisdictional Compact co-signatories to seek enabling legislation for a BRTA;

(v) Submit an annual report to the Mayor and City Council on the usage of the funds in the TAMF including the state of the progress accomplished toward a Compact with other regional jurisdictions and the pursuit of enabling legislation for a BRTA;

(vi) Ensure an audit of the TAMF every four years by a certified public accounting firm;

(vii) Discharge any additional duties related to the TAMF as directed by the Mayor and City Council.

(F) Upon securing enabling legislation for the BRTA, the TAMF Commission shall serve as advisor to the BRTA in support of its operations and pursuit of its goals and objectives.

**Section 2. Severability.**

If any provision of this amendment is held invalid for any reason, the provision should not affect the other provisions or any application of the provisions that can be given effect without the invalid provisions or application, and to that end all the provisions of this amendment are severable.