



Legislation Details (With Text)

File #: O-31-22 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 9/26/2022 **In control:** Finance Committee

On agenda: 12/12/2022 **Final action:** 12/12/2022

Title: Revenue and Finance - Budget - Annapolis Community Grant Program - For the purpose of requiring that all recipients of City community grant funds have proof of non-profit status; clarifying definitions; adding acceptable proof; expanding requirements for grantees; and generally dealing with community grant allocations.

Sponsors: Gavin Buckley, Karma O'Neill, Elly Tierney, Rob Savidge, Dajuan K. Gay, Rhonda Pindell Charles, Brooks Schandelmeier

Indexes: Finance Committee

Code sections:

Attachments: 1. O-31-22 First Reader, 2. O-31-22 Fiscal Impact Note, 3. O-31-22 Staff Report, 4. O-31-22 Signed

Date	Ver.	Action By	Action	Result
12/12/2022	1	City Council	adopt on second reader	Pass
12/12/2022	1	City Council	adopt on third reader	Pass
12/7/2022	1	Finance Committee	recommend favorably	Pass
11/16/2022	1	Finance Committee	postpone	Pass
11/2/2022	1	Finance Committee	postpone	Pass
10/24/2022	1	City Council	declare the public hearing closed	
10/10/2022	1	City Council	refer	
10/10/2022	1	City Council	Cosponsor added	
10/10/2022	1	City Council	Cosponsor added	
10/10/2022	1	City Council	adopt on first reader	Pass

Revenue and Finance - Budget - Annapolis Community Grant Program - For the purpose of requiring that all recipients of City community grant funds have proof of non-profit status; clarifying definitions; adding acceptable proof; expanding requirements for grantees; and generally dealing with community grant allocations.

CITY COUNCIL OF THE City of Annapolis

Ordinance 31-22

Introduced by: Mayor Buckley

Co-sponsored by: Ald. O'Neill, Ald. Tierney, Ald. Savidge, Ald. Gay, Ald. Pindell Charles, and Ald. Schandelmeier

**Referred to
Finance Committee**

AN ORDINANCE concerning

Revenue and Finance - Budget - Annapolis Community Grant Program

FOR the purpose of requiring that all recipients of City community grant funds have proof of non-profit status; clarifying definitions; adding acceptable proof; expanding requirements for grantees;; and generally dealing with community grant allocations.

BY repealing and reenacting with amendments the following portions of the Code of the City of Annapolis, 2022 Edition
6.16.060

SECTION 1: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

Title 6 - REVENUE AND FINANCE

Chapter 6.16 - Budget

Section 6.16.060 - Priorities for making operation and/or capital grants to non-profit organizations under the City of Annapolis Community Grant Program.

- A. ~~For the purposes of this section an "operating grant" shall provide support for the day-to-day costs of running the non-profit organization. A "capital grant" shall provide support for the purchase of property, the construction, remodeling, or expansion of a facility, or the purchase of equipment by a non-profit organization.~~

DEFINITIONS. FOR THE PURPOSE OF THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANING INDICATED:

1. "OPERATING GRANT" SHALL PROVIDE SUPPORT FOR THE DAY-TO-DAY COSTS OF RUNNING THE NON-PROFIT ORGANIZATION.
2. "CAPITAL GRANT" SHALL PROVIDE SUPPORT FOR THE PURCHASE OF PROPERTY, THE CONSTRUCTION, REMODELING, OR EXPANSION OF A FACILITY, OR THE PURCHASE OF EQUIPMENT BY A NON-PROFIT ORGANIZATION.
3. "NON-PROFIT" MEANS AN APPLICANT THAT CAN SHOW:
 - a. INTERNAL REVENUE SERVICE RECOGNITION OF THE APPLICANT AS AN ORGANIZATION TO WHICH CONTRIBUTIONS ARE TAX DEDUCTIBLE UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; OR
 - b. REGISTRATION WITH THE STATE OF MARYLAND OFFICE OF THE SECRETARY OF STATE AS A CHARITABLE ORGANIZATION; OR
 - c. A CERTIFIED COPY OF THE APPLICANT'S CERTIFICATE OF INCORPORATION OR SIMILAR DOCUMENT THAT CLEARLY ESTABLISHES THE NONPROFIT STATUS OF THE APPLICANT.

- B. Subject to the availability of funds, the City will consider funding an operating and/or capital grant to a non-profit organization with an application submission that meets one of the following priorities:
1. Provides services that sustain and empower youth, families and individuals to move towards an improved quality of life and self-sufficiency;
 2. Provides programs that preserve and enhance a community's character;
 3. Provides programs that contribute to a vibrant economy; or
 4. Promotes programs integral to community revitalization, economic development and environmental sustainability.
- C. There shall be a committee convened to review and evaluate applications submitted to the City of Annapolis for an operating and/or capital grant by the criteria in Section 6.16.060 D. The committee shall consist of: the Mayor's designated staff person; the Finance Director's designated staff person; and two at-large staff persons.
- D. Application qualification criteria:
1. Applicant shall have the administrative and financial capacity to carry out the project successfully and shall be in good standing with the Maryland Department of Assessments and Taxation;
 2. The project shall help meet the goals and objectives set forth in Paragraph B of this section;
 3. The applicant shall demonstrate that the proposed activity shall provide maximum public benefit in relation to cost; and
 4. The applicant shall demonstrate the ability to leverage additional funds.
 5. DECISIONS ABOUT AWARDS OF DIRECT FEDERAL FINANCIAL ASSISTANCE MUST BE MADE BASED ON MERIT, NOT ON AN ORGANIZATION'S RELIGIOUS AFFILIATION OR LACK THEREOF.
- E. FAITH-BASED APPLICANTS. FAITH-BASED ORGANIZATIONS ARE ELIGIBLE ON THE SAME BASIS AS ANY OTHER ORGANIZATION TO PARTICIPATE IN THE COMMUNITY GRANT PROGRAM, AND GRANTS SHALL BE AWARDED CONSISTENT WITH FEDERAL LAW.
1. A FAITH-BASED ORGANIZATION MAY USE SPACE IN ITS FACILITIES TO PROVIDE PROGRAMS OR SERVICES FUNDED WITH FINANCIAL ASSISTANCE
 2. PROGRAMS AND SERVICES OFFERED SHALL BE OPEN TO ALL ON A NON-DISCRIMINATORY BASIS AND ORGANIZATIONS THAT RECEIVE A COMMUNITY GRANT SHALL NOT ENGAGE IN ANY EXPLICITLY RELIGIOUS ACTIVITIES USING COMMUNITY GRANT FUNDS, NOR SHALL THEY CONDITION RECEIPT OF SERVICE BASED ON RELIGIOUS AFFILIATION.
- ~~F. Grants committee recommendations to Finance Committee.~~
- ~~The grants committee shall make recommendations to the Finance Committee for its~~ consideration

~~as part of the annual budget process.~~

GRANT RECOMMENDATIONS. THE GRANTS COMMITTEE SHALL PROVIDE ITS
RECOMMENDATIONS TO THE FINANCE COMMITTEE FOR CONSIDERATION AS PART OF THE
ANNUAL BUDGET PROCESS.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect from the date of its passage.

Explanation:

UPPERCASE indicates matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments.