

**Baltimore Casino
Local Development Council (LDC)**

OPERATING PROCEDURES

Overview

The Baltimore Casino Local Development Council (LDC) is composed of members who are business owners, residents and community leaders, and major institutional representatives in close proximity to the proposed South Baltimore Casino Facility. Members are appointed annually by the Mayor of the City of Baltimore in consultation with the senator, delegates and councilmember representing the communities surrounding the facility.

Staff Representative

Staff members from the Mayor's Office and the Department of Planning will serve as staff to and liaison the LDC. Representatives from other relevant City and State agencies will designate a representative assigned to work with the LDC.

MISSION

The Council has three primary roles and missions (1) consultation on the expenditures of the local impact funds, (2) review of the Casino licensee's master plan for the development of the Casino site, and (3) consultation on transportation planning. The LDC's roles are set forth in Chapter 4, 2007 Special Session, and are described in detail below.

Local Impact Grant Funds

(D) (1) PRIOR TO ANY EXPENDITURE OF LOCAL IMPACT GRANT FUNDS PROVIDED UNDER § 9-1A-27 OF THIS SUBTITLE, A COUNTY OR MUNICIPALITY SHALL DEVELOP, IN CONSULTATION WITH THE LOCAL DEVELOPMENT COUNCIL, A MULTIYEAR PLAN FOR THE EXPENDITURE OF THE LOCAL IMPACT GRANT FUNDS FOR SERVICES AND IMPROVEMENTS CONSISTENT WITH SUBSECTION (B) OF THIS SECTION.

(2) A COUNTY OR MUNICIPALITY SHALL SUBMIT THE PLAN TO THE LOCAL DEVELOPMENT COUNCIL FOR REVIEW AND COMMENT BEFORE ADOPTING THE PLAN OR EXPENDING ANY GRANT FUNDS.

(3) THE LOCAL DEVELOPMENT COUNCIL SHALL ADVISE THE COUNTY OR MUNICIPALITY ON THE IMPACT OF THE FACILITY ON THE COMMUNITIES AND THE NEEDS AND PRIORITIES OF THE COMMUNITIES IN IMMEDIATE PROXIMITY TO THE FACILITY.

(4) (I) A LOCAL DEVELOPMENT COUNCIL SHALL HAVE 45 DAYS TO REVIEW, COMMENT, AND MAKE RECOMMENDATIONS ON THE PLAN REQUIRED UNDER THIS SUBSECTION.

(II) ON THE REQUEST OF A LOCAL DEVELOPMENT COUNCIL, THE COUNTY OR MUNICIPALITY SHALL HOLD A PUBLIC HEARING ON THE PLAN.

(5) A COUNTY OR MUNICIPALITY SHALL MAKE BEST EFFORTS TO ACCOMMODATE THE RECOMMENDATIONS OF THE LOCAL DEVELOPMENT COUNCIL AND ANY TESTIMONY PRESENTED AT THE HEARING BEFORE ADOPTING THE PLAN REQUIRED UNDER THIS SUBSECTION.

How the funds can be spent

(B) LOCAL IMPACT GRANTS PROVIDED UNDER SUBSECTION (A)(1)(I) OF THIS SECTION SHALL BE USED FOR IMPROVEMENTS IN THE COMMUNITIES IN IMMEDIATE PROXIMITY TO THE VIDEO LOTTERY FACILITIES AND MAY BE USED FOR THE FOLLOWING PURPOSES:

- (1) INFRASTRUCTURE IMPROVEMENTS;
 - (2) FACILITIES;
 - (3) PUBLIC SAFETY;
 - (4) SANITATION;
 - (5) ECONOMIC AND COMMUNITY DEVELOPMENT, INCLUDING HOUSING;
- AND
- (6) OTHER PUBLIC SERVICES AND IMPROVEMENTS.

Master Plan Review

(E) A VIDEO LOTTERY OPERATION LICENSEE SHALL PROVIDE TO THE LOCAL DEVELOPMENT COUNCIL A MASTER PLAN FOR THE DEVELOPMENT OF THE SITE ON WHICH THE VIDEO LOTTERY FACILITY WILL BE LOCATED.

Transportation Planning

9-1A-32.

- (B) (1) A COMPREHENSIVE TRANSPORTATION PLAN SHALL BE:
 - (I) DEVELOPED BY EACH COUNTY WHERE A FACILITY IS LOCATED, IN CONSULTATION WITH THE LOCAL DEVELOPMENT COUNCIL CREATED UNDER § 9-1A-31 OF THIS SUBTITLE; AND
 - (II) APPROVED BY THE MARYLAND DEPARTMENT OF TRANSPORTATION.

ARTICLE I: NAME

The name of this Council shall be the Baltimore Casino Local Development Council (LDC).

ARTICLE II: ORGANIZATION

Section 1. Authority

The Council shall be governed by the policies and guidelines set forth in Chapter 4, 2007 Special Session.

ARTICLE III: PURPOSE

Section 1. PURPOSE

The purpose of this Council is to:

- A. Serve as an advisory body to the Mayor of Baltimore on the expenditure of impact fees derived from a VLT facility in South Baltimore.
- B. Provide consultation to the Baltimore City Department of Transportation on the creation of a comprehensive transportation plan around the VLT facility.
- C. Provide comments to the Casino licensee during the creation of a master plan for the development of the VLT facility site.

ARTICLE IV: MEMBERSHIP

Section 1. COMPOSITION AND REPRESENTATION

In accordance with Chapter 4, 2007 Special Session, the LDC shall consist of the following 15 members appointed by the Mayor of Baltimore City in consultation with the senators and delegates who represent the communities surrounding the facility and the respective county council.

- (I) ONE SENATOR WHO REPRESENTS THE DISTRICT WHERE THE FACILITY IS LOCATED;
- (II) TWO DELEGATES WHO REPRESENT THE DISTRICTS WHERE THE COMMUNITIES SURROUNDING THE FACILITY ARE LOCATED;

- (III) ONE REPRESENTATIVE OF THE VIDEO LOTTERY OPERATION LICENSEE;
- (IV) SEVEN RESIDENTS OF THE COMMUNITIES IN IMMEDIATE PROXIMITY TO THE FACILITY; AND
- (V) FOUR REPRESENTATIVES OF BUSINESSES OR INSTITUTIONS LOCATED IN IMMEDIATE PROXIMITY TO THE FACILITY.

The LDC will have additional non-voting advisors as deemed necessary and appropriate by the Mayor of Baltimore.

Section 2. ADDITIONAL CRITERIA FOR MEMBERS

Members must have a sincere interest in serving the community and must have the time to review pertinent materials and attend meetings of the Council. Members must be willing to represent the views and wishes of the broader community as well as the organizations they represent and not use the LDC as an opportunity for the pursuit of any personal items or issues. Additionally, information obtained at LDC functions by representatives of community or business organizations should be widely disseminated to the members' organizations.

In addition, whereas it is the aspiration of the Mayor and City Council that the LDC reflect the full diversity of the Casino Impact Area's neighborhoods, residents, businesses and institutions, now therefore:

- Of the residents serving on the LDC, at least three (3) shall have as their primary residence locations within each of the three (3) sectors identified in the South Baltimore Gateway Master Plan (West, South and East); and
- Of the businesses or institutions represented on the LDC, at least one (1) shall have as its primary place of business a location with each of the three (3) sectors identified in the South Baltimore Gateway Master Plan (West, South and East).

Section 3. CONFLICT OF INTEREST

Appointees to the Local Development Council will be required to comply with the financial disclosure statement requirements of the Baltimore City Ethics Code. They are also bound by the conflicts of interest section of the Ethics Code regarding restrictions on participation, restrictions on employment and interests, receipt of gifts, and solicitation of gifts.

Section 4. TERM OF MEMBERSHIP

Members are appointed to the LDC by the Mayor for one-year terms, renewable for up to six continuous years of service, starting in in January. Appointments are largely made due to individuals' leadership positions within closely affected communities. The appointments are for either the current president of said organizations or his or her designee, OR A PERSON RECOGNIZED BY THE MAYOR AS SERVING IN A LEADERSHIP ROLE. IN ORDER TO ENSURE CONTINUITY WITHIN THE LDC.

IF AN APPOINTEE IS NO LONGER PRESIDENT OF HIS OR HER RESPECTIVE COMMUNITY ORGANIZATION OR NO LONGER SERVES IN A LEADERSHIP ROLE IN THE ORGANIZATION DURING HIS OR HER LDC TERM OF OFFICE, THE APPOINTEE MAY, WITH THE APPROVAL OF THE MAYOR, SERVE OUT THE REMAINDER OF HIS OR HER ONE-YEAR TERM, AT WHICH TIME A REPLACEMENT WILL BE APPOINTED BY THE MAYOR.

If an appointee chooses to designate a proxy, the proxy must be approved by the Mayor.

A member may be removed and replaced by the Mayor at any time if that person no longer meets the “Additional Criteria for Members” outlined in Article IV, Section 2. Any request for removal of an officer will be submitted to the LDC for consideration, and a majority vote of the LDC shall carry. The final decision on removal rests with the Mayor.

Section 5. UNEXCUSED ABSENTEEISM

Maximum attendance by members is expected and essential to the functioning of the LDC. Members missing two consecutive, regularly scheduled meetings or a total of four regular meetings, during a twelve-month period shall be immediately reconsidered by the Mayor for replacement.

Section 6. LEAVE OF ABSENCE

Any member may be granted an excused temporary leave of absence from serving on the Council upon submitting a written request to the Mayor explaining the reason(s) for the requested absence and subject to approval of the LDC.

Section 7. RESIGNATIONS

Members shall send written notice of intent to resign to the Mayor with a copy to the Chair of the LDC as soon as possible but at least one (1) month before the termination date. Such notice shall be read to the Council.

Section 8. VACANCIES AND APPOINTMENTS

Vacancies shall be filled using the appointment process laid out in Chapter 4, 2007 Special Session via appointment by the Mayor in consultation with the senator, delegates and council member representing the communities surrounding the facility.

Section 9. SUBSTITUTES

If an appointee chooses to designate a proxy to serve as the organization’s representative, the proxy must be approved by the Mayor. If a member cannot be present at a single meeting, they may send a temporary proxy for information purposes, but voting privileges will not extend to this individual unless approved by a majority of the LDC.

ARTICLE V: OFFICERS

Section 1. OFFICERS

Officers of the Council shall consist of a Chairperson and Vice Chairperson.

Section 2. SELECTION OF OFFICERS

The Chair shall be appointed by the Mayor, and the Vice Chair shall be elected by the LDC members.

3. TERM OF OFFICE

Officers shall serve for one year annual terms. The Vice Chairperson shall be elected by members of the LDC each calendar year. Such officer shall hold office until they resign, are removed, are otherwise disqualified to serve, or until their successors shall be elected, whichever occurs first.

Section 4. VACANCIES

A vacancy in any office shall be filled for the unexpired portion of the term. In the event of a vacancy in the office of a Chair, the Mayor shall appoint a replacement. In the event

of a vacancy for the Vice Chair, the LDC shall vote on a new Vice Chair according to the rules above.

Section 5. RESIGNATIONS

Any officer may resign his/her position as an officer at any time by giving written notice to the LDC, and to the Mayor of Baltimore City. Any such resignation shall take effect on the date of the receipt of such notice or at any later date specified therein, not to exceed the expiration date of the regular term of the office. The acceptance of such resignation shall not be necessary to make it effective. However, the resigning officer shall remain a member of the Council unless he specifies that he is resigning from the Council.

Section 6. DUTIES OF THE OFFICERS

The Officers shall serve in the following capacities:

- A. Preside at all meetings of the Council and be eligible to vote on all matters;
- B. Be responsible for the effective, efficient and timely conduct of the Council's meetings;
- C. Perform such other duties as may be assigned from time to time by the Council or requested by the Baltimore City staff assigned to the Council; and
- D. Represent the LDC.

ARTICLE VI: COMMITTEES

Section 1. COMMITTEES

The Council shall establish committees as needed and determined by the LDC.

Section 2. COMMITTEE MEMBERSHIP AND CHAIRPERSONS

All members of the Council shall be ex officio members of all committees. Each member must serve on at least one committee. The Chairperson of each committee shall be appointed by the Chair. Committees may be required to meet at times outside of the regular LDC meetings. Committee chairs shall make every effort to include a diversity of stakeholders on their respective committees.

ARTICLE VII: MEETINGS, CONSENSUS & QUORUM

Section 1. TIME OF COUNCIL MEETINGS

Meetings are held at a time determined by the Council. The time frame for meetings is approximately two hours.

All meetings are publicized and open to the public, in accordance with the Maryland Open Meetings Act. Members of the public are welcome at meetings and may express their opinions at such times as designated by the agenda or when recognized by the Chair. Notice of all meetings and all available meeting materials shall be mailed (via regular mail and e-mail as requested by the member) to each Council member at least three(3) days prior to the meeting. Public notice of all such meetings shall include, at least, notification on the Project website at least three (3) days prior to the meeting; public notices and minutes of meetings to the general public will be available via the Project website.

The location and time of any LDC meeting shall be announced to its members at the previous meeting. This rule may be suspended for a specific occasion by majority vote.

Section 2. PREPARING the COUNCIL’S AGENDAS

The Chair and Vice Chair shall have the final approval of items included on the agenda. Members of the Council are expected to send, either for purposes of discussion or action, agenda items to the Chair or Baltimore City staff liaison. Proposed agenda items shall be mailed (via regular mail and/or hand delivered mail and e-mail) to the Chair and Baltimore City staff liaison no later than three (3) days prior to the meeting.

Section 3. ACTION WITHOUT MEETING

Any action which may be properly taken by the LDC assembled in a meeting may also be taken without a meeting, if consent in writing setting forth the action so taken is signed by all of the LDC entitled to vote with respect to the action. Such consent shall have the same force and effect as a vote of the members assembled and shall be filed with the minutes.

Section 4. PROCEDURES AND DECISION-MAKING PROCESS

Discussions shall be conducted on an informal basis, and those matters discussed that do not require action will be decided by consensus. For those items requiring action, the Council shall be governed by the latest edition of Robert’s Rules of Order. The Chair reserves the right to recognize non-LDC persons in the audience as the Chair deems appropriate.

Section 5. QUORUM

Fifty percent of the current Council membership (rounded up to the nearest whole number) plus one shall constitute a quorum. A quorum shall be necessary for the transaction of any official business at any meeting of the Council.

Section 6. SECRETARIAL DUTIES

The Baltimore City staff liaison shall meet the secretarial needs of the Council and shall keep the operating procedures as amended, minutes of all meetings of the Council, a current membership list containing the names, addresses, telephone numbers, and e-mail addresses (if applicable) of all Council members, and all other official documents of the Council. Such documents shall be posted on the project website.

ARTICLE VIII: AMENDMENT OF OPERATING PROCEDURES

Action may be initiated at any duly constituted meeting of the council to alter, amend or repeal these operating procedures and have new operating procedures adopted. Notice of any proposed amendment to, or repeal of, these operating procedures shall be presented at a duly constituted meeting of the council, and shall then be voted on at the next duly constituted meeting of the council. A copy of the current operating procedures with the proposed changes shall be distributed to all council members at least thirty (30) days in advance of the meeting at which the amendment will be presented for approval. Amendments shall be considered under the latest edition of Robert’s Rules of Order.