

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 1533 (Delegate Mitchell, *et al.*)
Environmental Matters

**Economic Development - Baltimore Region - Baltimore Metropolitan Council and
Advisory Board and Baltimore Region Transportation Board**

This bill increases the membership of the Baltimore Metropolitan Council (BMC), the BMC Advisory Board, and the Baltimore Region Transportation Board (BRTB). It also expands the purposes of BMC to include residential and economic development, transportation, housing, and education.

Fiscal Summary

State Effect: General fund expenditures increase to the extent that the bill requires additional staff to meet the expanded purposes of BMC; however, the amount cannot be reliably estimated at this time. Any expense reimbursements for additional State BMC, BMC Advisory Board, and BRTB members are assumed to be minimal and absorbable within existing budgeted resources. No effect on revenues.

Local Effect: BMC experiences an operational and/or fiscal impact to the extent that the bill requires additional staff resources to meet the expanded purposes of BMC. Local contributions from jurisdictions in the BMC region may increase to support its expanded purposes.

Small Business Effect: None.

Analysis

Bill Summary: The membership of BMC is increased from 6 to 12 by adding 2 members of the House of Delegates, 2 members of the Senate of Maryland, and 2 members appointed by the Governor. Similarly, two individuals appointed by the

Governor who represent organizations that promote business and regional issues in the Baltimore metropolitan region are added to the BMC Advisory Board.

The bill also generally codifies BRTB as it exists in the BMC charter. However, the Secretary of Business and Economic Development, the Secretary of Housing and Community Development, and two members each from the House and Senate are added to the membership of the board. Further, the bill specifies that all members of BRTB are voting members.

The purposes of BMC are expanded to include:

- develop regional economic strategies that promote the Baltimore metropolitan region and diversify the economic base, including transportation, housing, education, and residential and economic development; and
- recommend to the General Assembly statutory changes to improve regional cooperation and the long-term economic health of the region.

Current Law: BMC is a regional council of governments. The “region” for BMC’s purposes means the area that includes all of Baltimore City and Anne Arundel, Baltimore, Carroll, Harford, and Howard counties.

The purposes of BMC are to:

- serve as a forum for local officials and their representatives to identify and address problems in the region;
- provide a central source of information and coordination for fashioning responses to needs in the region;
- assist local jurisdictions in developing regional policies, prioritizing regional infrastructure needs, and developing regional strategies.

BMC is composed of one member each appointed by the Mayor of Baltimore City; the county executives of Anne Arundel, Baltimore, Harford, and Howard counties; and the Carroll County Board of Commissioners. The BMC Advisory Board consists of the Mayor of Baltimore City and the President of the Baltimore City Council (or the president’s designee); the county executive and the chair of the county council (or the chair’s designee) for Anne Arundel, Baltimore, Harford, and Howard counties; and two members of the Carroll County Board of Commissioners.

Federal regulations require that each urbanized area, as a condition to the receipt of federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process carried out by a Metropolitan Planning

Organization (MPO) in cooperation with the State that results in plans and programs consistent with the development of the urbanized area. The regulations further specify that each MPO must consist of (1) local elected officials; (2) officials of public agencies that administer or operate major modes of transportation in the metropolitan area; and (3) appropriate State officials. An MPO designation remains in effect until otherwise redesignated. An MPO may be redesignated by an agreement between the Governor and units of local government that together represent 75% of the existing planning area population.

BRTB is the federally recognized MPO for the Baltimore metropolitan region. BRTB is an 11-member board representing the cities of Annapolis and Baltimore; Anne Arundel, Baltimore, Carroll, Harford, and Howard counties; the Maryland Department of Transportation (MDOT); the Maryland Department of the Environment; the Maryland Department of Planning; and the Maryland Transit Administration. State agencies except for MDOT are nonvoting members. BRTB comprises the elected executive officials from each jurisdiction as well as the secretaries of each State agency. Each BRTB member designates an employee from its jurisdiction or agency as its “empowered representative” to act and vote on its behalf at meetings.

Background: According to BMC, the council employs 31 full-time and 6 part-time staff, largely consisting of planners who work on transportation, demographics, air and water quality, and procurement issues. BMC also hosts and staffs BRTB. As shown below in **Exhibit 1**, BMC’s total fiscal 2013 projected expenditures are \$6.9 million, which comprises federal, State, and local funds.

Exhibit 1
Fiscal 2013 BMC Expenditures by Funding Source

<u>Funding Source</u>	<u>Amount</u>
Federal Highway Administration	\$4,171,507
Federal Transit Administration	1,381,725
Maryland Department of Transportation	499,711
Local Governments*	<u>888,597</u>
Total	\$6,941,540

Note: Local contributions are from the cities of Annapolis and Baltimore and Anne Arundel, Baltimore, Carroll, Harford, and Howard counties.

Source: Baltimore Metropolitan Council

BRTB (formerly the Transportation Steering Committee) was designated in 1992 as the MPO for the Baltimore metropolitan area in a memorandum of understanding between
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BMC, the affected cities and counties, and the relevant State agencies. Although BMC employees staff BRTB, the board is an independent decisionmaking public body with its own mission and function. Similarly, although all six BMC members serve on BRTB, BMC votes and decisions are separate from those of BRTB.

BRTB's mission is to provide regional transportation planning and policymaking for the Baltimore metropolitan region. Specifically, BRTB provides overall program management of an annual work program – the Unified Planning Work Program. In addition, BRTB provides policy direction and oversight in the development of a federally mandated Long Range Transportation Plan, the Transportation Improvement Program, and the transportation element of the State Implementation Plan for reaching federal air quality standards.

BRTB is one of six MPOs responsible for regional transportation planning in parts of Maryland; however, BRTB is the only MPO responsible solely for regions in Maryland.

MPO Structure

MPO structures vary throughout the country. Some MPOs are housed entirely within a unit of government, generally in a region's largest jurisdiction. Other MPOs operate independently from individual jurisdictions with a regionally elected board that makes regional transportation planning decisions that directly impact the workings of local government. The Baltimore metropolitan region employs a common approach to MPO structure where MPO board members are of a mix of elected and appointed officials, including all six members of the BMC board, and the MPO is hosted and staffed by employees of a regional council of governments – BMC.

Metropolitan Washington Council of Governments

A similar structure to BMC/BRTB exists for the Washington metropolitan area. The Metropolitan Washington Council of Governments (COG) is an independent, nonprofit association that brings area leaders together to address major regional issues in the District of Columbia, suburban Maryland, and Northern Virginia. COG's membership comprises 300 elected officials from 22 local governments, the Maryland and Virginia state legislatures, and U.S. Congress. The Maryland General Assembly is represented on COG.

As part of COG, the National Capital Region Transportation Planning Board (TPB) is the federally designated MPO for the region, and it plays an important role as the regional forum for transportation planning. TPB prepares plans and programs that the federal government must approve in order for federal transportation funds to flow to the Washington region. The Maryland General Assembly is also represented on TPB.

COG has a number of other programs outside the current scope of BMC. For example, COG's Housing program covers a broad array of issues important to area local governments and their housing partners. These include the region's housing stock, homelessness, housing affordability, concentration of affordable housing, fair housing, and neighborhood redevelopment.

In addition, COG's Regional Planning and Analysis program works collaboratively to support local, state, and federal community planning activities to achieve more efficient and sustainable development outcomes in the region. The regional planning and analysis program is responsible for developing long-range regional planning goals and integrating planning policies around land use, transportation, housing, and the environment.

COG is a significantly larger organization than BMC. The proposed fiscal 2014 budget for COG includes 132 full-time positions: 64 for transportation planning, 7.5 for community services and planning, 9.5 for public safety and health, 28 for environment, and 23 for management and administration. COG's proposed fiscal 2014 budget totals \$26.5 million: \$17.6 million for transportation, \$1.3 million for community planning, \$1.6 million for public safety/homeland security, \$5.2 million for environment, and \$0.7 million for support services. Similar to BMC, COG is supported by a variety of funding sources, including federal and state revenues, fees for services, and membership dues.

State Expenditures: The bill alters the purposes of BMC to include the development of regional economic strategies that promote the Baltimore metropolitan region and diversify the economic base, including transportation, housing, education, and residential and economic development. BMC is largely funded for transportation planning purposes through BRTB.

MDOT advises that the duties assigned in the bill do not fall under the purview of MPO transportation planning activities and, therefore, are not eligible for the federal and State funds that support BMC and BRTB. Therefore, general fund expenditures increase to the extent that BMC requires additional staff resources to meet the expanded purposes of BMC specified in the bill that are otherwise not met with local contributions. BMC advises that a typical salary for an analyst is \$65,000. However, the amount of additional staff required under the bill cannot be reliably estimated at this time.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore Metropolitan Council, Baltimore City, Department of Business and Economic Development, Maryland Department of Planning, Department of Housing and Community Development, Maryland Department of Transportation, Department of Legislative Services

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