

Introduced by: Councilmember Sneed, *John DORSEY, Burwell, Bullock, Cohen, Middleton*

Prepared by: Department of Legislative Reference

Date: November 27, 2017 *Clarke, Hens, Pinkett*

Referred to: LABOR Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0170

A BILL ENTITLED

AN ORDINANCE concerning

City Officials – Residency Requirements

FOR the purpose of establishing residency requirements for certain agency heads and at-will supervisory employees; providing a certain qualified, short-term exception; defining certain terms; providing for the prospective application of this Ordinance; and generally relating to residency requirements, as limited by State law, for City personnel.

BY authority of
State Code Article - General Provisions
Section 1-201
(2014 Volume and 2016 Supplement)
(As amended by Chapter 776, 2017 Acts of the General Assembly)

BY adding
Article 1 - Mayor, City Council, and Municipal Agencies
Section 7-10
Baltimore City Code
(Edition 2000)

Shawn [Signature]
[Signature]

Ryd DORSEY

[Signature]

Mayor [Signature]

[Signature]

[Signature]

[Signature]

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

_____	Baltimore City Public School System
_____	Baltimore Development Corporation
_____	City Solicitor
_____	Comptroller's Office
_____	Department of Audits
_____	Department of Finance
_____	Department of General Services
_____	Department of Housing and Community Development
_____	Department of Human Resources
_____	Department of Planning
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Department of Public Works
_____	Department of Real Estate
_____	Department of Recreation and Parks
_____	Department of Transportation
_____	Fire Department
_____	Health Department
_____	Mayor's Office of Employment Development
_____	Mayor's Office of Human Services
_____	Mayor's Office of Information Technology
_____	Office of the Mayor
_____	Police Department
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Board of Estimates
_____	Board of Ethics
_____	Board of Municipal and Zoning Appeals
_____	Comm. for Historical and Architectural Preservation
_____	Commission on Sustainability
_____	Employees' Retirement System
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Environmental Control Board
_____	Fire & Police Employees' Retirement System
_____	Labor Commissioner
_____	Parking Authority Board
_____	Planning Commission
_____	Wage Commission
_____	Other: _____
_____	Other: _____
_____	Other: _____

Boards and Commissions

CITY OF BALTIMORE
ORDINANCE **18-111**
Council Bill 17-0170

Introduced by: Councilmembers Sneed, Scott, Dorsey, Burnett, Bullock, Cohen, Middleton,
Clarke, Henry, Pinkett

Introduced and read first time: December 4, 2017

Assigned to: Labor Committee

Committee Report: Favorable and amended

Council action: Adopted

Read second time: February 26, 2018

AN ORDINANCE CONCERNING

City Officials – Residency Requirements

FOR the purpose of establishing residency requirements for certain agency heads and at-will supervisory employees; providing a certain qualified, short-term exception; defining certain terms; providing for the prospective application of this Ordinance; and generally relating to residency requirements, as limited by State law, for City personnel.

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Baltimore City Code

(Edition 2000)

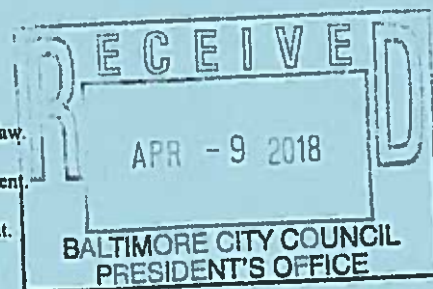
SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 7. City Officers and Employees

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.



Council Bill 17-0170

§ 7-10. RESIDENCY REQUIREMENTS FOR CITY OFFICIALS.

(A) DEFINITIONS.

(1) IN GENERAL.

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) AGENCY.

“AGENCY” MEANS ANY DEPARTMENT, ANY BUREAU OR DIVISION WITHIN A DEPARTMENT, AND ANY BOARD, COMMISSION, AUTHORITY, COUNCIL, COMMITTEE, OFFICE, OR OTHER UNIT OF CITY GOVERNMENT.

(3) OFFICIAL.

“OFFICIAL” MEANS:

(I) THE HEAD OF AN AGENCY WHO REPORTS DIRECTLY TO THE MAYOR; AND

(II) ANY AT-WILL SUPERVISORY EMPLOYEE WHO REPORTS DIRECTLY TO THE MAYOR OR TO THE HEAD OF AN AGENCY.

(B) RESIDENCY REQUIREMENTS.

EVERY OFFICIAL:

(1) MUST BE A RESIDENT AND REGISTERED VOTER OF BALTIMORE CITY AT THE TIME OF HIS OR HER APPOINTMENT, EXCEPT ONLY AS OTHERWISE AUTHORIZED BY SUBSECTION (C) OF THIS SECTION; AND

(2) MUST REMAIN A RESIDENT AND REGISTERED VOTER OF BALTIMORE CITY THROUGHOUT HIS OR HER ENTIRE TERM OF OFFICE.

(C) QUALIFIED, SHORT-TERM EXCEPTION.

(1) IN GENERAL.

SUBSECTION (B)(1) OF THIS SECTION DOES NOT APPLY TO AN OFFICIAL WHO, BEFORE HER OR HIS APPOINTMENT, SIGNS A DECLARATION OF INTENT TO BECOME A CITY RESIDENT AND REGISTERED VOTER WITHIN 6 MONTHS OF THE EFFECTIVE DATE OF HER OR HIS APPOINTMENT.

(2) TERMINATION FOR FAILURE TO TIMELY COMPLY.

IF THE OFFICIAL FAILS TO ABIDE BY THIS DECLARATION OF INTENT WITHIN THE 6-MONTH PERIOD, THE OFFICIAL’S APPOINTMENT IS AUTOMATICALLY TERMINATED AT THE END OF THAT PERIOD.

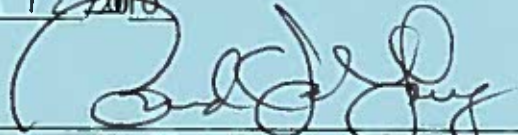
Council Bill 17-0170

1 SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance applies only prospectively
2 and may not be applied or interpreted to have any effect on or application to the continued
3 employment at the same level of any individual ~~employed by the City before the effective date of~~
4 who, before the effective date of this Ordinance, is employed by the City as an "official", as that
5 term is defined in this Ordinance.

6 SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance
7 are not law and may not be considered to have been enacted as a part of this or any prior
8 Ordinance.

9 SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
10 after the date it is enacted.

Certified as duly passed this _____ day of MAR 12 2018



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of MAR 12 2018




Chief Clerk

Approved this 27 day of March, 20 18



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 19th Day of March 2018


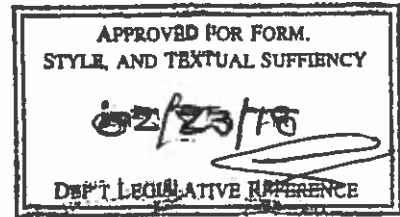
Chief Solicitor



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AMENDMENTS TO COUNCIL BILL 17-170
(1st Reader Copy)



By: Councilmember Sneed
{To be offered on the Council Floor}

ADOPTED

Amendment No. 1

On page 2, in line 30, after “employment”, insert “at the same level”; and, in the same line, after “individual”, strike beginning with “employed” through “of” and substitute “who, before the effective date of this Ordinance, is employed by the City as an “official”, as that term is defined in”.

{SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance applies only prospectively and may not be applied or interpreted to have any effect on or application to the continued employment at the same level of any individual ~~employed by the City before the effective date of~~ who, before the effective date of this Ordinance, is employed by the City as an “official”, as that term is defined in this Ordinance.}

BALTIMORE CITY COUNCIL LABOR COMMITTEE VOTING RECORD

DATE: February 12, 2018

BILL NUMBER: 17-0170

BILL TITLE: City Officials – Residency Requirements

MOTION BY: Henry SECONDED BY: Clarke

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Sneed, Shannon, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Henry, Bill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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TOTALS	<u>4</u>	<u>—</u>	<u>—</u>	<u>1</u>

CHAIRPERSON: Shannon Sneed,

COMMITTEE STAFF: Marguerite M. Currin Initials: M.M.C

CITY OF BALTIMORE

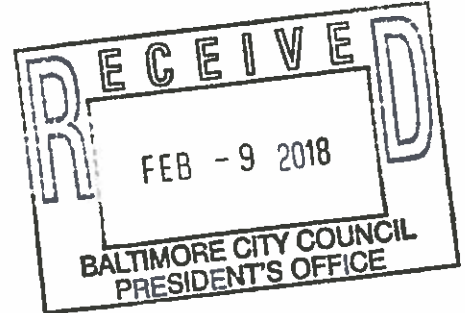
CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, CITY SOLICITOR
100 N. Holliday Street
Suite 101, City Hall
Baltimore, Maryland 21202

February 9, 2018



The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0170– City Officials - Residency Requirements

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0170 for form and legal sufficiency. The bill requires certain City officials, defined as a head of an agency who reports directly to the Mayor and any at-will supervisory employee, to be residents and registered voters in the City within 6 months of appointment. Failure to comply with the residency requirement results in automatic termination of the appointment.

Md. Ann. Code, Local Gov. Art., Sec. 1-201 regulates residency requirements for local government employees. This law prohibits local governments from requiring its employees to reside in the jurisdiction that employs them. In 2017, an exception was approved by the General Assembly that states:

A county or municipality may require an at-will supervisory employee to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment if the at-will supervisory employee reports directly to the head of a unit of the county or municipality.

Generally, residency requirements for government employees are legally sufficient under constitutional provisions. Under a 14th Amendment Equal Protection analysis, if a residency requirement is a continuing residency requirement, there is not violation of the 14th Amendment Equal Protection clause and a rational basis for such requirements does exist. See *McCarthy v. Phil. Civil Serv. Comm.* 339 A2d 634 (1975 and *McCarthy v. Phil. Civil Serv. Comm.* 96 S.Ct. 1154 (1976).

This bill, however, exceeds the scope of the State enabling legislation. First, the bill defines “official” to include the head of an agency who reports directly to the Mayor. The exception in Sec. 1-201, however, only grants authority to impose the residency requirement on “at-will supervisory employees who report directly to the head or a unit of a county or municipality.” In

Fav of Amends

City Council Bill 17-0170

February 9, 2018

Page 2

addition, agency heads are already exempt from the general prohibition in the State law under Sec. 1-201(a). The language referring to agency heads should, therefore, be stricken.

The bill also exceeds the authority granted in the enabling legislation by requiring that the covered employees become registered voters in the City. The enabling legislation only authorizes the imposition of a residency requirement not a requirement compelling covered employees to register to vote. The City Council is therefore not authorized to require voter registration in this bill. This requirement would also exclude from City employment anyone who is not eligible to register.

Another concern is that the bill could be interpreted to exclude from supervisory positions current employees who may be promoted in the course of their careers to such a position but would be ineligible because they are not City residents. Section 2 of the bill states "that this ordinance applies only prospectively and may not be applied or interpreted to have any effect on or application to the continued employment of any individual employed by the City before the effective date of the ordinance." This does not clearly cover the scenario described above. The following language could be added to Section 2 to clarify this issue: "Furthermore, any individual employed by the City before the effective date of this ordinance need not be a City resident to be eligible for any future supervisory position that is subject to the ordinance."

The Law Department cannot approve the bill for form and legal sufficiency unless the bill amended as provided above. Proposed amendments are attached.

Sincerely,




Elena R. DiPietro
Chief Solicitor
Division Chief

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Ashlea Brown, Assistant Solicitor
Hilary Ruley, Chief Solicitor
Victor Tervalá, Chief Solicitor

Law Department's Proposed Amendments to City Council Bill 17-0170

1. On page 2, strike line 8.
2. On page 2 in lines 13, 16, and 22, strike "and registered voter."
3. On page 2, line 30 after "Ordinance." insert ""Furthermore, any individual employed by the City before the effective date of this ordinance need not be a City resident to be eligible for any future supervisory position that is subject to the ordinance."

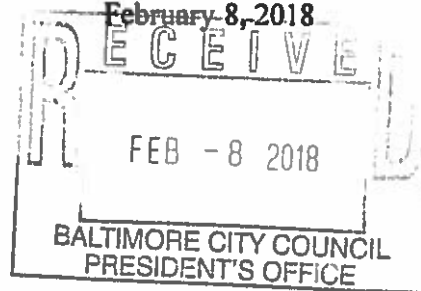
Mary H. Talley

FROM	NAME & TITLE	Mary H. Talley, Director & Chief Human Capital Officer	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Human Resources 201 E. Baltimore Street, Baltimore, Maryland 21202		
	SUBJECT	City of Baltimore Council Bill, 17-0170 Residency Requirements for City Officials		

TO The Honorable Bernard "Jack" Young
and Members of the Baltimore City Council
City Hall
100 N. Holliday Street, Room 409
Baltimore, Maryland 21202

DATE:

February 8, 2018



Dear Council President Young and Members of the City Council:

Recommended Position

The Department of Human Resources ("DHR") reviewed the above captioned City Council Bill and appreciates the Council's intent to provide Baltimore City residents with a better opportunity to serve and represent the Communities in which they live because they are uniquely poised to know and understand the needs and challenges of their Communities. However, in the quest to find the best and the brightest candidates to fill executive and hard to fill positions, having a residency restriction would prove to be limiting. Accordingly, DHR opposes the Bill.

Comments and Analysis

City Council Bill 17-0170 (the "Bill") proposes to require an "Official" (the Head of an Agency who reports directly to the Mayor and any At-Will Supervisory Employee who reports directly to the Mayor or to the Head of an Agency) to be a resident and registered voter of Baltimore City and remain a resident and registered voter throughout his or her term of Office. The exception to this would be that it does not apply to an "Official" who, before their appointment, signs a Declaration of Intent to move into the City within 6 months of the date of the appointment. If the Official fails to the move to the City within the 6 month period, the Official's appointment will be automatically terminated.

Requiring an "Official", as defined in Council Bill 17-0170, to be (or become within 6 months of the effective date of her/his appointment) a resident and registered voter of Baltimore City would create a chilling effect on the recruiting efforts of Agencies across the City and may significantly limit the pool of qualified candidates for this class for several reasons including the following:

- The City would most likely be competing with private sector employers for qualified candidates; and the City's total rewards package may not be competitive enough to attract and/or retain them
- Qualified candidates may choose not to work for Baltimore City Government because they may fear their employment status is more tenuous due to Mayoral administration transitions.
- Recruitment and employment costs would significantly and progressively escalate to accommodate rigorous recruitment campaigns, relocation incentives, increased time-to-

OPPOSES

fill, training, and higher salaries (for new hires and existing staff vis-à-vis Equal Pay Act).

- All Baltimore City Government “Official” job classifications require at least a Bachelor’s Degree. However, 72.3% of Baltimore City residents do not meet the minimum qualifications for “Official” job classifications.
- Notably, surrounding jurisdictions including Prince George’s, Montgomery, and Baltimore counties, which serves as our primary feeder group for candidates, do not impose residency requirements

The City’s recruitment efforts should be aided instead of hindered by a restriction that narrows the pool of qualified, employable applicants by requiring that they live in Baltimore City.

For these reasons, DHR opposes this bill.

EID	NAME	DEPT	CLASSIFICATION TITLE	Zip Code	City Res	Pay Grade	Salary Min	Salary Max
103274	Corey Robey	BCERS	Operations Manager I	21136	NO	939	83,742	138,006
057307	Ian Berger	BCERS	General Counsel	21209	NO	936	79,152	126,582
103586	Eliot Powell	BCERS	Chief Investment Officer	33928	NO	990	119,646	197,370
001606	Roselyn Spencer	BCERS	Executive Director I	20859	NO	990	119,646	197,370
010672	David Randall	BCFPERS	Operations Manager II	21207	NO	942	88,842	146,472
078602	Anthony Calhoun	BCFPERS	Executive Director I	20815	NO	990	119,646	197,370
041244	Abraham Schwartz	BCFPERS	General Counsel	21209	YES	936	79,152	126,582
065864	Adam Boarman	BCRP	Operations Manager I	21228	NO	939	83,742	138,006
046491	Ciara Harris	BCRP	Operations Officer III	21209	NO	929	67,218	107,406
037893	Robert Wall	BCRP	Operations Manager I	21014	NO	939	83,742	138,006
044748	William Vondrasek	BCRP	Operations Manager I	21286	NO	942	88,842	146,472
102916	Reginald Moore	BCRP	Executive Director III	21209	YES	992	134,742	222,360
078610	Tonia Lee	CABLE AND COMMUNICATIONS	Executive Director II	21117	NO	991	126,888	209,406
079154	Kevin Amado	CIRCUIT COURT	Alcohol Assessment Director Co	21133	NO	927	63,240	101,184
006935	Lawrence Heller	CIRCUIT COURT	Chief Medical Officer Courts	21210	YES	936	79,152	126,582
024953	Carolyn Mozell	City Council	Operations Manager II	21207	NO	942	88,842	146,472
103774	Charles Byrd	CIVIL RIGHTS	IT Manager	20720	NO	942	88,842	146,472
093708	Jesmond Riggins	CIVIL RIGHTS	Civillian Review Board Investigator	21218	YES	923	59,466	95,370
093707	Sharita Thomas	CIVIL RIGHTS	Operations Officer IV	21201	YES	931	72,420	115,770
096312	Jill Carter	CIVIL RIGHTS	Operations Manager II	21229	YES	942	88,842	146,472
006266	Walter J. Horton	COMPTROLLER	Operations Managers II	21207	NO	942	88,842	146,472
019398	Robert McCarty	COMPTROLLER	City Auditor	21234	NO	990	119,646	197,370
045279	Simon Etta	COMPTROLLER	Agency IT Manager - II	21229	YES	942	88,842	146,472
002466	Bernice Taylor	COMPTROLLER	Executive Director II	21212	YES	991	126,888	209,406
057175	Jaikishin Chughani	CONVENTION CENTER	Accounting Operations Officer	21117	NO	931	72,420	115,770
103394	Tia Halstead	CONVENTION CENTER	HR Business Partner	21136	NO	931	72,420	115,770
028612	Robert Parker	CONVENTION CENTER	Operations Officer V	21050	NO	936	79,152	126,582
033741	Stacey Knoppel	CONVENTION CENTER	Operations Officer V	21114	NO	936	79,152	126,582
071624	Mac Campbell	CONVENTION CENTER	Operations Manager III	20853	NO	960	94,248	155,448
028053	Peggy (Daidakis) Werner	CONVENTION CENTER	Executive Director III	21204	NO	992	134,742	222,360
103261	Philip Costa	CONVENTION CENTER	Operations Officer V	21230	YES	936	79,152	126,582
040950	Larry Greene	COUNCILMATIC SERVICES	Director Council Services	21229	YES	931	72,420	115,770
054589	Stephen Stricklin	DGS	Operations Manager I	21234	NO	939	83,742	138,006



EID	NAME	DEPT	CLASSIFICATION TITLE	Zip Code	City Res	Pay Grade	Salary Min	Salary Max
074466	Bambi Stevens	DGS	Operations Manager I	21228	NO	939	83,742	138,006
028194	Robert Gibson	DGS	Operations Manager I	21009	NO	939	83,742	138,006
075359	Gary Holland	DGS	Operations Director I	21224	YES	967	101,592	167,484
070038	Berke Attila	DGS	Operations Manager II	21230	YES	942	88,842	146,472
000967	Steven Sharkey	DGS	Executive Director III	21230	YES	992	134,742	222,360
027720	Jeffery Martin	DHCD	Chief of Fiscal Services I	21131	NO	931	72,420	115,770
057093	Shu shen Chia	DHCD	Agency IT Supervisor/Project M	21204	NO	936	79,152	126,582
075278	Nadya Morgan	DHCD	Operations Manager I	21208	NO	939	83,742	138,006
067060	Wendi Redfern	DHCD	Operations Manager I	21117	NO	939	83,742	138,006
071034	John David Evans	DHCD	Operations Officer III	21218	YES	929	67,218	107,406
066250	Alice Kennedy	DHCD	Operations Director I	21211	YES	967	101,592	167,484
037585	Steve Janes	DHCD	Operations Manager I	21209	YES	939	83,742	138,006
024407	Julie Day	DHCD	Operations Director I	21202	YES	967	101,592	167,484
001229	Michael Braverman	DHCD	Executive Director III	21210	YES	992	134,742	222,360
074546	LaTonya Bryant	DHR	Operations Director II	21043	NO	969	110,976	183,192
090156	Rajesh Gulhar	DHR	Operations Manager III	20850	NO	960	94,248	155,448
094931	Tonya Brinkley	DHR	Operations Manager III	20715	NO	960	94,248	155,448
089472	Jacia Smith	DHR	Operations Director II	21202	YES	969	110,976	183,192
074752	Mary Talley	DHR	Executive Director III	21229	YES	992	134,742	222,360
016073	Laetitia Griffin	DOT	Operations Officer III	21209	NO	929	67,218	107,406
103748	Eboni Wimbush	DOT	Operations Manager I	22315	NO	939	83,742	138,006
103211	Amah Binde	DOT	Operations Manager II	20708	NO	942	88,842	146,472
103280	Muhammed Khalid	DOT	Operations Director I	21029	NO	967	101,592	167,484
048197	Veobia Akilo	DOT	Operations Officer III	21214	YES	923	59,466	95,370
014777	Frank Murphy	DOT	Operations Manager I	21214	YES	939	83,742	138,006
102890	Michelle Pourciau	DOT	Executive Director III	21202	YES	992	134,742	222,360
045494	Azzam Ahmad	DPW	Engineer Supervisor	21061	NO	936	79,152	126,582
066366	Kimberly Grove	DPW	WW Division Manager II	20903	NO	942	88,842	146,472
102953	Carlos Espinosa	DPW	WW Division Manager II	21050	NO	942	88,842	146,472
075705	James Price Jr.	DPW	WW Division Manager II	21042	NO	942	88,842	146,472
103199	Johnnie Hemphill	DPW	Operations Director II	20001	NO	969	110,976	183,192
029197	John Chalmers	DPW	Operations Manager I	21215	YES	939	83,742	138,006
001564	S. Dale Thompson	DPW	Operations Director II	21218	YES	969	110,976	183,192

EID	NAME	DEPT	CLASSIFICATION TITLE	Zip Code	City Res	Pay Grade	Salary Min	Salary Max
066602	Rudolph Chow	DPW	Director Public Works	21202	YES	88M	188,000	188,000
003959	Momen Abukhdeir	ECB	Assistant to the Executive Director	21228	NO	923	59,466	95,370
049446	Rebecca Woods	ECB	Operations Manager I	21234	NO	939	83,742	138,006
011802	Darcell Graham	ENOCH PRATT FREE LIBRARY	Librarian Supv II	21220	NO	929	67,218	107,406
006671	Wesley W. Wilson	ENOCH PRATT FREE LIBRARY	Operations Officer V	21209	NO	936	79,152	126,582
023908	Eunice Anderson	ENOCH PRATT FREE LIBRARY	Operations Officer V	21207	NO	936	79,152	126,582
018933	Gordon E. Krabbe	ENOCH PRATT FREE LIBRARY	Operations Manager I	21030	NO	939	83,742	138,006
096405	Meghan McCorkell	ENOCH PRATT FREE LIBRARY	Public Relations Officer	21224	YES	923	59,466	95,370
083309	Cynthia Monahan	ENOCH PRATT FREE LIBRARY	Operations Officer IV	21230	YES	931	72,420	115,770
103124	Heidi Daniel	ENOCH PRATT FREE LIBRARY	Executive Director II	21212	YES	991	126,888	209,406
020220	Douglas Kerr	FINANCE	Operations Director I	21030	NO	967	101,592	167,484
043086	Erin Smyth	FINANCE	Operations Director I	21117	NO	967	101,592	167,484
016180	Jenell Rogers	FINANCE	Operations Manager II	21117	NO	942	88,842	146,472
007046	Janice Simmons	FINANCE	Operations Manager II	21075	NO	942	88,842	146,472
084087	Sandra Stecker	FINANCE	Operations Director II	21042	NO	969	110,976	183,192
015870	Stephen Kraus	FINANCE	Executive Director II	21015	NO	969	110,976	183,192
049436	Henry Raymond	FINANCE	Executive Director III	21229	YES	992	134,742	222,360
011581	Jeffrey Segal	FIRE DEPARTMENT	Assistant Fire Chief	21120	NO	85F	143,672	143,672
033439	Mark Wagner	FIRE DEPARTMENT	Assistant Fire Chief	21060	NO	85F	143,672	143,672
084170	Teresa Everett	FIRE DEPARTMENT	Assistant Fire Chief	21214	NO	85F	143,672	143,672
061476	Amy Beth Leasure	FIRE DEPARTMENT	Operations Manager I	21211	YES	939	83,742	138,006
079280	Niles Ford	FIRE DEPARTMENT	Executive Director III	21202	YES	992	134,742	222,360
086117	Kristin Rzczkowski	HEALTH	Operations Manager II	21230	YES	942	88,842	146,472
083682	Leana Wen	HEALTH	Executive Director III	21212	YES	992	134,742	222,360
075724	Quinton Herbert	LABOR COMMISSIONER	Operations Manager I	21214	YES	939	83,742	138,006
019087	Deborah Moore Carter	LABOR COMMISSIONER	Executive Director II	21216	YES	991	126,888	209,406
103201	Tonya Allen	LAW	Operations Officer IV	21133	NO	931	72,420	115,770
084017	Courtney Bilups	LAW	Operations Manager II	21640	NO	942	88,842	146,472
000313	Suzanne Sangree	LAW	Operations Manager II	21215	YES	942	88,842	146,472
046561	Matthew Nayden	LAW	Operations Manager II	21210	YES	942	88,842	146,472
083104	Dana Moore	LAW	Operations Director I	21218	YES	967	101,592	167,484
103224	Andre Davis	LAW	City Solicitor	21218	YES	88M	188,000	188,000
037120	Avery Aisenstark	LEGISLATIVE REFERENCE	Director Legislative Reference	21215	YES	942	88,842	146,472

EID	NAME	DEPT	CLASSIFICATION TITLE	Zip Code	City Res	Pay Grade	Salary Min	Salary Max
000655	Thomas Akras	LIQUOR LICENSE BOARD	Operations Officer V	21211	YES	936	79,152	126,582
038302	Douglas Paige	LIQUOR LICENSE BOARD	Operations Director I	21223	YES	967	101,592	167,484
094740	Renee Newton	MAYOR'S OFFICE	Operations Assistant III	21229	YES	904	46,920	75,072
056916	Daphney Williams	MAYOR'S OFFICE	Operations Officer I	21213	YES	923	59,466	95,370
042287	Anthony White	MAYOR'S OFFICE	Operations Director II	21215	YES	923	59,466	95,370
083083	Alexandra Smith	MAYOR'S OFFICE	Operations Officer II	21224	YES	927	63,240	101,184
089713	Matt Garbark	MAYOR'S OFFICE	Operations Manager II	21224	YES	942	88,842	146,472
103511	Geri Byrd	MAYOR'S OFFICE	Operations Manager I	21201	YES	939	83,742	138,006
102799	Paul Taylor	MAYOR'S OFFICE	Operations Manager II	21215	YES	942	88,842	146,472
103107	Dan Hymowitz	MAYOR'S OFFICE	Operations Manager II	21201	YES	942	88,842	146,472
096209	Karen Stokes	MAYOR'S OFFICE	Operations Director II	21217	YES	969	110,976	183,192
039186	Andrew Vetter	MAYOR'S OFFICE	Operations Director II	21224	YES	969	110,976	183,192
103147	Kendra Parlock	MAYOR'S OFFICE	Operations Director II	21217	YES	969	110,976	183,192
096208	Jim Smith	MAYOR'S OFFICE	Executive Director IV	21231	YES	993	145,146	239,598
096212	Pete Hammen	MAYOR'S OFFICE	Executive Director IV	21224	YES	993	145,146	239,598
070897	Valerie McNeese	MOED	HR Business Partner	21074	NO	931	72,420	115,770
033675	Patricia Morfe	MOED	Operations Officer IV	21234	NO	931	72,420	115,770
006827	Mary Sloat	MOED	Operations Manager I	21286	NO	939	83,742	138,006
071130	Mackenzie Garvin	MOED	Operations Officer I	21224	YES	923	59,466	95,370
094724	Angel St. Jean	MOED	Operations Officer III	21217	YES	929	67,218	107,406
011384	Brice Freeman	MOED	Operations Officer II	21210	YES	927	63,240	101,184
089704	Terri Parker	MOED	Operations Manager I	21229	YES	939	83,742	138,006
037455	Ernest Dorsey	MOED	Operations Manager I	21231	YES	939	83,742	138,006
083922	Jason Perkins-Cohen	MOED	Executive Director I	21210	YES	990	119,646	197,370
003079	Susan Olubi	MOHS	Operations Officer I	21044	NO	923	59,466	95,370
075728	Amir Assadi	MOHS	Fiscal Administrator	21131	NO	931	72,420	115,770
075323	Lori Cunningham	MOHS	Operations Officer IV	20716	NO	931	72,420	115,770
094976	Terrence Hickey	MOHS	Executive Director I	21146	NO	990	119,646	197,370
061768	Shannon Burroughs-Campbell	MOHS	Director, Public Program	21044	NO	936	79,152	126,582
081917	Diedra Hollins	MOIT	IT Director	21113	NO	969	110,976	183,192
070039	Lindsay Wines	MOIT	IT Manager	21230	YES	942	88,842	146,472
103225	Frank Johnson	MOIT	Executive Director III	21224	YES	992	134,742	222,360
102951	Stephanie Smith	PLANNING	Operations Manager II	21205	YES	942	88,842	146,472

EID	NAME	DEPT	CLASSIFICATION TITLE	Zip Code	City Res	Pay Grade	Salary Min	Salary Max
040647	Laurie Feinberg	PLANNING	Operations Manager II	21218	YES	942	88,842	146,472
044716	Thomas Stosur	PLANNING	Executive Director III	21210	YES	992	134,742	222,360
004026	Daniel Beck	POLICE	Chief Solicitor	17538	NO	936	79,152	126,582
020275	Andre Bonaparte	POLICE	Deputy Police Commissioner	21162	NO	88P	157,998	157,998
095135	Jim Gillis	POLICE	Operations Manager I	21230	YES	939	83,742	138,006
000440	Darryl De Sousa	POLICE	Police Commissioner Designee**	21202	YES	99P	190,800	243,800
041836	Donald Walters, Jr.	SHERIFF	Deputy Sheriff Major	21221	NO	220	56,743	100,399
023439	William Matthews	SHERIFF	Deputy Sheriff Major	21133	NO	220	56,743	100,399
019550	Sabrina Tapp-Harper	SHERIFF	Deputy Sheriff Major	21209	YES	220	56,743	100,399
032503	John Anderson	SHERIFF	Sheriff	21218	YES	86E	132,600	132,600
079015	Caron Brace	State Attorney's Office	Chief State's Attorney	21213	YES	936	79,152	126,582
096444	Camille Blake Fall	State Attorney's Office	Operations Manager II	21218	YES	942	88,842	146,472
083808	Michael Schatzow	State Attorney's Office	Operations Director I	21224	YES	967	101,592	167,484
010298	David Tanner	ZONING	Operations Officer V	21221	NO	936	79,152	126,582
084212	Derek Baumgardner	ZONING	Assistant Counsel Code Enforce	21212	YES	929	67,218	107,406

Key

** Pending formal confirmation
BBMR unable to verify
Per Councilman Henry's request, indicates annual salary below \$67,000

Summary

City Resident	75
Non-City Resident	72
TOTAL	147

We are unable to provide income tax information pursuant to section 4-336 of the General Provisions Article of the Maryland Code (The Maryland Public Information Act) as well as Section 13-202 of the Tax-General Article of the Maryland Code (Confidentiality of Certain Tax Information).

In response to Councilman Costello and Scott's inquiry, there is no written provision stating that the following Police Command Staff Sworn Classifications are "At-Will". These classifications are, however, in MAPS Specialized Grades and identified as "At-Will":

- Police Captain
- Police Major
- Police Lt. Colonel
- Police Colonel
- Deputy Police Commissioner
- Police Commissioner

Currin, Marguerite

From: Stuart-Sikowitz, Gabriel
Sent: Friday, February 16, 2018 11:54 AM
To: Currin, Marguerite
Subject: FW: Requested Information

From: Talley, Mary H.
Sent: Thursday, February 15, 2018 4:23 PM

To: Sneed, Shannon <Shannon.Sneed@baltimorecity.gov>; Stokes, Robert <Robert.Stokes@baltimorecity.gov>; Burnett, Kristofer <Kristofer.Burnett@baltimorecity.gov>; Clarke, Mary Pat <MaryPat.Clark@baltimorecity.gov>; Costello, Eric <Eric.Costello@baltimorecity.gov>; Henry, Bill <Bill.Henry2@baltimorecity.gov>; Schliefer, Isaac <Isaac.Schliefer@baltimorecity.gov>; Scott, Brandon <Brandon.Scott@baltimorecity.gov>
Cc: B.Young <B.Young@baltimorecity.gov>; Morton, Kimberly <Kimberly.Morton@baltimorecity.gov>; Stokes, Karen <Karen.Stokes@baltimorecity.gov>; Smith, Jacia <Jacia.Smith@baltimorecity.gov>; Aponte, Pedro <Pedro.Aponte@baltimorecity.gov>; DiPietro, Elena <Elena.DiPietro@baltimorecity.gov>; Rulley, Hillary B. <Hillary.Rulley@baltimorecity.gov>; Butwin, Amy <Amy.Butwin@baltimorecity.gov>; Green, Carmellita <Carmellita.Green@baltimorecity.gov>; Stuart-Sikowitz, Gabriel <Gabriel.Stuart-Sikowitz@baltimorecity.gov>

Subject: Requested Information

Dear Council Members Sneed, Stokes, Burnett, Clarke, Costello, Henry, Schliefer, and Scott

Attached is a spreadsheet encapsulating the data requested by the City Council Labor Committee during the televised hearing on Monday, February 12, 2018 surrounding Council Bill 17-0170: Residency Requirements.

Best regards,



Data Requested
by City Council...

Mary H. Talley
Director & Chief Human Capital Officer

Department of Human Resources

City of Baltimore

201 East Baltimore Street | Baltimore, MD 21202

Phone 410-396-1565 | Fax 410-545-7858

Email: Mary.Talley@baltimorecity.gov

Visit our website at <http://humanresources.baltimorecity.gov/>

ASK ME ABOUT WORKBALTIMORE 2018 !



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Labor Committee

Monday, February 12, 2018

5:00 PM

Du Burns Council Chamber, 4th floor, City Hall

17-0170

CHARM TV 25

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 5 - Member Shannon Sneed, Member Robert Stokes Sr., Member Eric T. Costello,
Member Bill Henry, and Member Mary Pat Clarke

ITEM SCHEDULED FOR PUBLIC HEARING

17-0170

City Officials - Residency Requirements

For the purpose of establishing residency requirements for certain agency heads and at-will supervisory employees; providing a certain qualified, short-term exception; defining certain terms; providing for the prospective application of this Ordinance; and generally relating to residency requirements, as limited by State law, for City personnel.

Sponsors: Shannon Sneed, Brandon M. Scott, Ryan Dorsey, Kristerfer Burnett, John T. Bullock, Zeke Cohen, Sharon Green Middleton, Mary Pat Clarke, Bill Henry, Leon F. Pinkett, III

A motion was made by Member Henry, seconded by Member Clarke, that Bill 17-0170 be recommended favorably. The motion carried by the following vote:

Yes: 4 - Member Sneed, Member Stokes Sr., Member Henry, and Member Clarke

Abstain, COI: 1 - Member Costello

BRIEFING

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 17-0170

City Officials – Residency Requirements

Committee: Labor
Chaired By: Councilmember Sharon Sneed
Hearing Date: Monday, February 12, 2018
Time (Beginning): 5:15 PM
Time (Ending): 6:35 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: Approximately 30

Committee Members in Attendance:

- Sharon Sneed
- Robert Stokes
- Mary Pat Clarke
- Bill Henry
- Eric Costello

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Evidence of notification to property owners?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Henry		
Seconded by:	Councilmember Clarke		
Final Vote:	Favorable		

Major Speakers

(This is not an attendance record.)

- Elena DiPietro, Law Department
- Avery Aisenstark, Department of Legislative Reference
- Mary Talley, Department of Human Resources

- Sarah Matthews, City Resident
 - Tim Paggi, City Resident
-

Major Issues Discussed

1. Chairwoman Sneed gave opening remarks and stated why she introduced the bill. "We would like more people living in the city. I remember a time with teachers, mechanics and other professions lived throughout communities in Baltimore city (back in the day) and it made a difference!"
2. The representative from the Law Department discussed their agency report and the proposed amendments; three (3) in total. She withdrew amendment #1.
3. A committee member asked the representative from the Law Department to define what an "at-will employee" is. She also stated that she did not support amendment #3 – "the grandfathering in of current employees." She also stated that pertinent employees should have one year to move/relocate instead of six (6) months.
4. The representative from the Department of Legislative Reference stated that he opposed the three (3) amendments submitted by the Law Department. He talked about some "domicile" laws and stated that the legislation was within the law to request the employees to be registered voters. He also stated that he would prepare an amendment to address the "grandfathering in current employees."
5. The representative from the Department of Human Resources testified, discussing why the Department opposes the legislation. Some reasons stated were:
 - would create several barriers (would have to overcome)
 - would create difficulty in hiring qualified applicants
 - would be difficult to compete with the private sector
 - would increase significantly the City's recruitment costs
 - concerned about relocation packages (expensive)
 - would have to increase salaries to be competitive
 - Concerned about educational requirements; stated that approximately 72.2% of city residents do not have advance degrees
6. Several committee members made comments, stated concerns and asked questions. Some highlights of same were:
 - To the representative from the Department of Human Resources
 - Why would the City's reward package(s) be affected by the legislation?
 - How would cost escalate?
 - Are the employees of the Police Department "not considered" city employees?
 - Are the Captains within the Police Department and all ranks above Captains considered "at-will employees?"
 - One big concern of our residents is "that some employees who don't live in the City are making the decisions!"
 - **ALSO SEE FURTHER STUDY BELOW**

7. Two (2) city residents gave testimony. Some highlights of their conversations included:
- both supported the legislation
 - has lived in the City for over 30 years; hiring from within the City will have dollars coming in and not going out!
 - don't see how people can represent the City if they don't know streets and/or the locations of same!
 - there are other jurisdictions with residency requirements
 - the legislation will help the economy!
 - the bill will increase population and encourage people to move in the City
 - don't ask for my vote if I am not good enough to hire!
 - Comments regarding "educational credentials"
 - there are a lot of qualified people that live in the City; including many with Ph.ds' (Advanced Degrees)
 - We (city residents) are able and qualified to be hired!
8. A committee member asked the representative from the Department of Law to talk more in depth about their amendment #3.
9. Vote taken. **ALSO SEE FURTHER STUDY BELOW**

Further Study

Was further study requested?

Yes No

If yes, describe.

1. The chairwoman and/or committee members have requested the following information from the Department of Human Resources:
- A breakdown of all of positions affected by the legislation by Department and position
 - A summary on "How the legislation will cause costs to escalate with regard to salaries, relocation packages, recruitment, and etc."
 - Feedback (in writing) regarding the employees' of the Police Department being at-will employees or not!

Committee Vote:

S. Sneed:..... Yea
 R. Stokes: Yea
 M. Clarke:..... Yea
 B. Henry: Yea
 E. Costello: Abstain

M. M. Currin

Marguerite M. Currin, Committee Staff

Date: February 22, 2018

cc: Bill File
 OCS Chrono File

A Citizen's Support of Shannon Sneed's Residency Bill

By Tim Paggi

Thank you to city council for introducing this bill, and thank you in particular to councilwoman Sneed for inviting me to speak on its behalf. My remarks should take just a few minutes, and I thank everyone in attendance for your gracious attention to my thoughts on this bill.

My name is Tim Paggi. I work in education in Baltimore. I am participant in local culture, and a voter. I'm a pedestrian. A bus rider. I am a homeowner in Johnston Square, on the corner of Preston and Greenmount, and as a homeowner, I also pay property tax, every year, on time, at a rate that is twice as high as my counterparts in the county.

Now it seems to me, as I review the payroll data provided by the city, that if you look at it like I do, a significant portion of my tax dollars are prioritized to support the financial health and high quality lifestyles of residents of the county.

As the data suggests, nearly half of all city employees live outside of Baltimore city. The data also demonstrates that the majority of higher salaried jobs - which tend to include better benefits, better pensions, higher level responsibilities, etc - tend to go to individuals in the county. As another city council member has pointed out, there is in fact a median difference of about \$20,000 per annual salary between city employees who chose to reside in the city and those who chose to reside in the counties. The salary difference is not only an income discrepancy, but it also implies a leadership discrepancy, as the individuals who are more in charge have less personal investment and less personal knowledge regarding this city. Anecdotally, I have in fact often observed a kind of resentment toward the people and culture of the city in some Baltimore city employees.

By requiring employees who are paid by the city to live in the city, we will not only retain those tax dollars for our own and encourage a culture of city living among our leaders. We will eventually get around 8,000 new residents who already have good jobs. New neighbors. New individuals invested in the political process. New residents to support local cultural institutions, ride our busses, sending children to school, walk our sidewalks. We were all intrigued by the prospect of Amazon bringing new jobs to the city - even to the point of offering them tremendous financial incentives to do so. But in the case of this residency bill, Baltimore gets all of these benefits I discussed before, without even spending an additional dime. Just by prioritizing the money that we already spend.

Let us not dismiss this bill by prematurely worrying over the particulars. Sure, for some, it will be inconvenient. But if we focus on the particulars at this early stage, we miss out on its bold vision.

Also, let us not pretend that this is some revolutionary, out of nowhere idea. Plenty of American cities have some version of residency laws. Correct me if I am wrong, but Boston, Minneapolis, D.C., Chicago, many others, all have some sort of similar law in place today. So wouldn't it make particular sense, that a city that is uniquely not incorporated into its



surrounding county, such as Baltimore, enact such a law?

It will limit the talent pool, you might hastily conclude. But would it? If you were Director of a Museum, would you hire a talented curator that refused to attend the museum? If you owned a restaurant, would you install a head chef who not only would never eat there, but who would never allow their children to eat there? What message would that send if that leader, rushing at the end of their work shift, literally pushed aside the dishwashers and line cooks on their mad scramble for the back door? I ask you Baltimore's leadership again, what message would that send?

I don't have time to address how Baltimore's history plays a part in this, but I am well aware that it does. Many historians, artists, politicians and citizens have noted that for decades, Baltimore has been guided by policies oftentimes motivated by racial prejudices and that often tend to favor individuals who do not live here.

I will admit that in a perfect world, we would not require this bill. But this is not a perfect world. This is Baltimore. And if we are serious about changing both the narrative and the reality in order to improve life for our citizens, than we must commit to bold, visionary steps such as this proposed by Councilwoman Sneed, that provide solutions to Baltimore's longstanding, systemic challenges. It is bills like these, that if passed and given time, can contribute to once again restoring Baltimore's place as the crown jewel of Maryland. Thank you.

HOUSE COMMITTEE ON APPROPRIATIONS

FLOOR REPORT - 2017 SESSION

BILL NUMBER: HB 167

SPONSOR: (Delegate McCray, et al.)

SHORT TITLE: Counties and Municipalities - At-Will Supervisory Employees - Residency Requirements

COMMITTEE ACTION: FWA

DATE OF 2ND READING: 2/21/17

AMENDMENTS: There are 2 amendments

Amendment 1: is technical

Amendment 2: adds a section making the bill only apply prospectively.

PURPOSE OF BILL:

This bill as amended authorizes a county or municipality to require an at-will supervisory employee to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment if the at-will supervisory employee reports directly to the head of a unit of the county or municipality. With the amendment the bill only applies prospectively from the effective date of October 1, 2017.

FISCAL IMPACT: None.

BILL HISTORY: Prior Introductions: None.

CROSS FILE: None.

CURRENT LAW: A county or municipality may not require an employee to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment. This restriction does not apply to (1) an elected official; (2) the head of a unit of a county or municipality who reports directly to the chief administrative officer, an elected executive, or the governing body of the county or municipality; or (3) the chief administrative officer of the county or municipality.

Analyst: Henry

Extension: 5548

HB0167

BACKGROUND:

The Maryland Association of Counties (MACo) advises that some counties have residency requirements for certain county offices such as county administrator and/or department heads. MACo reports that Caroline County requires the county administrator, the public information officer, and all department directors to reside within the county. Garrett and Kent counties also require the county administrator to live within their respective county. Other jurisdictions such as Allegany, Prince George's, and Queen Anne's counties have no residency requirements.

Appropriations

2/14/2017



HB0167 - Delegate McCray

Counties and Municipalities - At-Will Supervisory Employees - Residency Requirements

Total Panels: 2 Total FAV: 2 Total FWA: 3 Total UNF: 0 Total INFO: 0 Total Witnesses: 5

2/14/2017 1:00 PM

Type	Position	Testify	Name	Organization	Address	Phone	Email
Panel - Bill Sponsor	FAV	Both	Delegate McCray				
	FAV	Both	Shannon Sneed	Baltimore City Hall			
Panel - Public	FWA	Both	Barbara Zekick	MACo			bzekick@mdcounties.org
	FWA	Both	Bill Jorch	MML			billj@mdmunicipal.org
Individual	FWA	Written	Bill Jorch	Maryland Municipal League			

CORY V. McCRAY
Legislative District 45
Baltimore City

Environment and Transportation
Committee

Housing and Real
Property Subcommittee
Land Use and Ethics Subcommittee



The Maryland House of Delegates
6 Bladen Street, Room 315
Annapolis, Maryland 21401
410-841-3486 • 301-858-3486
800-492-7122 Ext. 3486
Cory.McCray@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Vote Yes on House Bill HB 167

Bill Title: Counties and Municipalities – At-Will Supervisory Employees – Residency Requirements

House Appropriations Committee: Hearing Date: February 14, 2017 at 1:00 p.m.

Madam Chair and Members of the Committee:

I write you today in support of House Bill 167 because the counties and municipalities across our great State of Maryland deserve the opportunity to govern in ways that most benefit their constituents. Support of this bill will give counties and municipalities the option to create residency requirements for public employees who are terminable at-will, in supervisory positions, and who report directly to the head of a unit of the county or municipality.

In-jurisdiction residence has long been a factor when counties and municipalities make hiring decisions. Beginning in the late 1970s, the City of Baltimore has granted hiring preference to City residents. However, in 1992 the City introduced a stricter policy, which required new employees to become City residents within one year of employment and to maintain residence for the duration of their employment with the City. In response, the Maryland General Assembly passed a bill which abolished the 1992 policy and prevented every county and municipality from creating residency requirements for their public employees as well. That bill was signed by the Governor in 1995 and has remained law through today.

This bill would create a narrow exception to the current law. It would allow local governments to require certain, high-level public employees to be residents of the jurisdiction in which they serve. Only public employees who are terminable at-will, exercise a supervisory capacity, and who report directly to the head of a unit of the county or municipality will be subject to a potential residency requirement. While this exception is narrow, the impact it will have on our communities can be both broad and substantial.

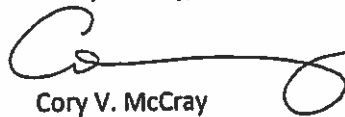
Public employment is a special kind of employment. Residency requirements are one way of ensuring that public employees both respond to and care about their constituents. Public employees who live in their jurisdiction have constituents as neighbors; they have a stake in the community in which they serve. Particularly for a jurisdiction like the City of Baltimore, which currently endures a fair level of public mistrust of our local institutions, we, the General Assembly, should give the City of Baltimore and our counties and municipalities the tools they need to efficiently solve local problems.

Before the 1995 law a full 14 cities and counties across the State of Maryland enforced some degree of residency requirement. Residency requirements for public employees were judged beneficial for places as different as Worcester County and Baltimore City; for Prince George's County and Hagerstown.

Further, cities like Boston and Pittsburgh enforce residency requirements for public employees. Rather than employ a one-size-fits all approach by restricting residency requirements, the State of Maryland ought to give our counties and municipalities a choice in the matter. Let us let them help themselves.

Please support House Bill 167 to give our counties and municipalities back the discretion they deserve to help them tackle local issues.

Respectfully,

A handwritten signature in black ink, appearing to read 'Cory V. McCray', with a long horizontal flourish extending to the right.

Cory V. McCray
State Delegate



Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

February 14, 2017

Committee: House – Environment and Transportation

Bill: HB 167 – Counties and Municipalities – At-will Supervisory Employees – Residency Requirements

Position: Support with Amendment

The Maryland Municipal League (MML) supports with amendment HB 167, a bill to authorize local governments to require at-will supervisory employees to live within the jurisdiction where they work or live within a specified distance from the jurisdiction. Current law permits such residency requirements only for chief administrative officers and department heads. The bill would authorize extension of such requirements so that departmental supervisory staff who report directly to department heads could be subject to residency requirements. Such provisions can be helpful to ensure optimal service provision, particularly when emergency situations arise that require quick response from off-duty personnel.

HB 167 provides a common sense option to provide staffing leadership for cities and towns in times of need. For this reason, the League endorses the bill and asks that this committee report the bill favorably. However, to ensure fairness to current employees, we ask that an amendment be added to make the bill prospective in its application.

FOR MORE INFORMATION CONTACT:

Scott A. Hancock
Candace L. Donoho
James P. Peck
Bill Jorch

Executive Director
Director, Government Relations
Director, Research & Information Management
Associate, Government Relations and Research

1212 West Street, Annapolis, Maryland 21401

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BALTIMORE CITY COUNCIL



SHANNON C. SNEED – Thirteenth District

Room 550, City Hall
100 North Holliday Street Baltimore Maryland 21202
Telephone: (410) 396-4829
Email: shannonsneed@baltimorecity.gov

Chair:

Labor Committee

Member:

Budget and Appropriations
Housing and Urban Affairs
Public Safety

The Honorable Shannon Sneed
Councilwoman, District 13
Baltimore City Council
City Hall
100 North Holliday Street
Suite 550
Baltimore, Maryland 21202

February 9, 2017

Delegate Maggie McIntosh
House Office Building, Room 121
6 Bladen Street
Annapolis, MD 21401

Dear Madam Chair McIntosh and Members of the Committee:

I am writing to register my support for House Bill (HB) 167, authored by Delegate Cory McCray. HB167 will officially authorize counties and municipalities the option to create residency requirements for public employees who are terminable at-will, in supervisory positions, and who report directly to the head of a unit of the county or municipality.

I knocked on thousands of doors in East Baltimore in the 13th District. Many of the residents talked about jobs and fighting for the working poor and middle class. Because there is not a residency requirement for city employees we are losing people to the surrounding suburbs. So many people have fled the city due to high taxes, crime and now years of decay. I want to discourage out-migration, and provide employment to central city residents, and keep municipal salaries circulating in the local economy.

In order to make Baltimore a thriving city again, characterized by low unemployment, an increased tax base and a developing city starting to require residency requirements for those in supervisory positions is a step in the right direction. Leadership comes from the top down and if our leaders are working, buying homes, and spending their money in Baltimore City there would be less abandoned homes, the number of children attending public school would increase and property taxes could decrease. If people are not living in the city they are less likely to venture in the city during their off times, which means there is less revenue coming in the city.

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Places like Chicago and Atlanta see police officers, firefighters, and teachers as neighborhood anchors, and as Maryland legislators we should also see the value in that too. Our top priority should be finding answers to keep not only the people mentioned above but all city employees as residents.

In closing, please support House Bill 167 to give our counties and municipalities an attempt to address unemployment and to help win back tax payers and spenders to the city.

Fondly,

Shannon C. Sneed
Councilwoman
Baltimore City 13th District



MARYLAND
Association of
COUNTIES

House Bill 167

Counties and Municipalities – At-Will Supervisory Employees – Residency Requirements

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Appropriations Committee

Date: February 14, 2017

From: Kevin Kinnally & Barbara Zektick

The Maryland Association of Counties (MACo) **SUPPORTS HB 167 WITH AMENDMENTS**. This bill authorizes a local government to require an at-will supervisory employee to reside in the state, county, or municipality as a condition of employment if the employee reports directly to the head of a unit of local government.

Currently, local governments may only impose residency requirements on department heads and similar managerial positions. This bill will provide local governments with greater autonomy and flexibility in implementing local policies designed to serve and react to community needs.

While MACo supports the premise of this bill, counties want to ensure current local government employees are not adversely affected by the implementation of a new residency requirement policy. To address this concern, MACo proposes amending the following language into HB 167:

“This Act shall be construed to apply only prospectively, and any law, ordinance, or policy enacted pursuant to this Act may not be applied or interpreted to affect the continued employment of any individual employed before the effective date of the local law or ordinance, or policy.”

HB 167 ensures local governments have flexibility in enacting local policies designed to serve and react to community needs. Accordingly, MACo urges the committee to issue a **FAVORABLE WITH AMENDMENTS** report for HB 167.



SENATE FINANCE COMMITTEE
THOMAS M. MIDDLETON, CHAIR · COMMITTEE REPORT SYSTEM
DEPARTMENT OF LEGISLATIVE SERVICES · 2017 MARYLAND GENERAL ASSEMBLY

FLOOR REPORT

ANALYST: DAVID SMULSKI @ 3679

HOUSE BILL 167

**COUNTIES AND MUNICIPALITIES - AT-WILL SUPERVISORY EMPLOYEES -
RESIDENCY REQUIREMENTS**

SPONSOR: (DELEGATE MCCRAY, ET AL.)

HOUSE BILL 167, GOING FORWARD, AUTHORIZES A COUNTY OR MUNICIPALITY TO REQUIRE AN AT-WILL SUPERVISORY EMPLOYEE TO RESIDE IN THE STATE, COUNTY, OR MUNICIPALITY, OR WITHIN A SPECIFIED DISTANCE OF THE STATE, COUNTY, OR MUNICIPALITY, AS A CONDITION OF EMPLOYMENT. FOR THE PROVISION TO APPLY, THE AT-WILL SUPERVISORY EMPLOYEE MUST REPORT DIRECTLY TO THE HEAD OF A UNIT OF THE COUNTY OR MUNICIPALITY.

THERE ARE NO AMENDMENTS.

THERE IS NO FISCAL IMPACT.

THERE WAS NO OPPOSITION AT THE COMMITTEE HEARING.

I MOVE THE ADOPTION OF THE FAVORABLE COMMITTEE REPORT.

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader - Revised
(Delegate McCray, *et al.*)

House Bill 167
Appropriations

Finance

Counties and Municipalities - At-Will Supervisory Employees - Residency
Requirements

This bill authorizes a county or municipality to require an at-will supervisory employee to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment if the at-will supervisory employee reports directly to the head of a unit of the county or municipality. The bill applies prospectively to any local law, ordinance, or policy enacted or adopted and may not be applied or interpreted to have any effect on or application to the continued employment of any individual employed by a county or municipality before the effective date of the local law, ordinance, or policy enacted or adopted by the county or municipality.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill is authorizing in nature and does not materially affect local government finances.

Small Business Effect: None.

Analysis

Current Law: A county or municipality may not require an employee to reside in the State, county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment. This restriction does not apply to (1) an elected official; (2) the head of a unit of a county or municipality who reports directly to the chief

administrative officer, an elected executive, or the governing body of the county or municipality; or (3) the chief administrative officer of the county or municipality.

Background: The Maryland Association of Counties (MACo) advises that some counties have residency requirements for certain county offices such as county administrator and/or department heads. MACo reports that Caroline County requires the county administrator, the public information officer, and all department directors to reside within the county. Garrett and Kent counties also require the county administrator to live within their respective county. Other jurisdictions such as Allegany, Prince George's, and Queen Anne's counties have no residency requirements.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore, Dorchester, Garrett, and Montgomery counties; Maryland Association of Counties; cities of Frederick and Havre de Grace; Maryland Municipal League; Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2017
fn/tso Third Reader - March 27, 2017
Revised - Amendment(s) - March 27, 2017

Analysis by: Michael Sanelli

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

Finance

3/29/2017



HB0167 - Delegate McCray

Counties and Municipalities - At-Will Supervisory Employees - Residency Requirements

Total Panels: 1 Total FAV: 3 Total FWA: 1 Total INF: 0 Total INFO: 0 Total Witnesses: 4

3/29/2017 1:00 PM

Type	Position	Testify	Name	Organization	Address	Phone	Email
Panel - Bill Sponsor	FAV	Oral	Delegate McCray				
	FAV	Oral	Bill Jorch	MML			
	FAV	Oral	Kevin Kinnally	MACO			
Individual	FWA	Written	Bill Jorch	Maryland Municipal League			

CORY V. MCCRAY
Legislative District 45
Baltimore City

Environment and Transportation
Committee

Housing and Real
Property Subcommittee
Land Use and Ethics Subcommittee



The Maryland House of Delegates
6 Bladen Street, Room 315
Annapolis, Maryland 21401
410-841-3486 • 301-858-3486
800-492-7122 Ext. 3486
Cory.McCray@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Vote Yes on House Bill HB 167

Bill Title: Counties and Municipalities – At-Will Supervisory Employees – Residency Requirements
Finance Committee: Hearing Date: March 29, 2017 at 1:00 p.m.
Chair and Members of the Committee:

I write you today in support of House Bill 167 because the counties and municipalities across our great State of Maryland deserve the opportunity to govern in ways that most benefit their constituents. Support of this bill will give counties and municipalities the option to create residency requirements for public employees who are terminable at-will, in supervisory positions, and who report directly to the head of a unit of the county or municipality.

In-jurisdiction residence has long been a factor when counties and municipalities make hiring decisions. Beginning in the late 1970s, the City of Baltimore has granted hiring preference to City residents. However, in 1992 the City introduced a stricter policy, which required new employees to become City residents within one year of employment and to maintain residence for the duration of their employment with the City. In response, the Maryland General Assembly passed a bill which abolished the 1992 policy and prevented every county and municipality from creating residency requirements for their public employees as well. That bill was signed by the Governor in 1995 and has remained law through today.

This bill would create a narrow exception to the current law. It would allow local governments to require certain, high-level public employees to be residents of the jurisdiction in which they serve. Only public employees who are terminable at-will, exercise a supervisory capacity, and who report directly to the head of a unit of the county or municipality will be subject to a potential residency requirement. While this exception is narrow, the impact it will have on our communities can be both broad and substantial.

Public employment is a special kind of employment. Residency requirements are one way of ensuring that public employees both respond to and care about their constituents. Public employees who live in their jurisdiction have constituents as neighbors; they have a stake in the community in which they serve. Particularly for a jurisdiction like the City of Baltimore, which currently endures a fair level of public mistrust of our local institutions, we, the General Assembly, should give the City of Baltimore and our counties and municipalities the tools they need to efficiently solve local problems.

Before the 1995 law a full 14 cities and counties across the State of Maryland enforced some degree of residency requirement. Residency requirements for public employees were judged beneficial for places as different as Worcester County and Baltimore City, for Prince George's County and Hagerstown.



Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

March 29, 2017

Committee: Senate Finance

Bill: HB 167 - Counties and Municipalities - At-will Supervisory Employees - Residency Requirements

Position: Support with Amendment

The Maryland Municipal League (MML) supports with amendment HB 167, a bill to authorize local governments to require at-will supervisory employees to live within the jurisdiction where they work or live within a specified distance from the jurisdiction. Current law permits such residency requirements only for chief administrative officers and department heads. The bill would authorize extension of such requirements so that departmental supervisory staff who report directly to department heads could be subject to residency requirements. Such provisions can be helpful to ensure optimal service provision, particularly when emergency situations arise that require quick response from off-duty personnel.

HB 167 provides a common sense option to provide staffing leadership for cities and towns in times of need. For this reason, the League endorses the bill and asks that this committee report the bill favorably. However, to ensure fairness to current employees, we ask that an amendment be added to make the bill prospective in its application.

FOR MORE INFORMATION CONTACT:

Scott A. Hancock
Candace L. Donoho
James P. Peck
Bill Jorch

Executive Director
Director, Government Relations
Director, Research & Information Management
Associate, Government Relations and Research

1212 West Street, Annapolis, Maryland 21401

410-268-5514 | 800-492-7121 | FAX: 410-268-7004 | www.md-municipal.org



MARYLAND
Association of
COUNTIES

House Bill 167

Counties and Municipalities – At-Will Supervisory Employees – Residency Requirements

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Finance Committee

Date: March 29, 2017

From: Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS HB 167 WITH AMENDMENTS**. This bill authorizes a local government to require an at-will supervisory employee to reside in the state, county, or municipality as a condition of employment if the employee reports directly to the head of a unit of local government.

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HB 167 ensures local governments have flexibility in enacting local policies designed to serve and react to community needs. Accordingly, MACo urges the committee to issue a **FAVORABLE WITH AMENDMENTS** report for HB 167.

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Chair:

Labor Committee

Member:

Budget and Appropriations
Housing and Urban Affairs
Public Safety

The Honorable Shannon Sneed
Councilwoman, District 13
Baltimore City Council
City Hall
100 North Holliday Street
Suite 550
Baltimore, Maryland 21202

March 29, 2017

Senator Thomas M. Middleton
House Office Building, Room 121
6 Bladen Street
Annapolis, MD 21401

Senator Thomas M. Middleton and Vice Chair Senator John C. Astle and members of the Finance Committee:

I am writing to register my support for House Bill (HB) 167, authored by Delegate Cory McCray. HB167 will officially authorize counties and municipalities the option to create residency requirements for public employees who are terminable at-will, in supervisory positions, and who report directly to the head of a unit of the county or municipality.

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Budget and Appropriations

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In closing, please support House Bill 167 to give our counties and municipalities an attempt to address unemployment and to help win back tax payers and spenders to the city.

Fondly,

Shannon C. Sneed
Councilwoman
Baltimore City 13th District



CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Labor **Chairperson:** The Honorable Shannon Speed
Date: Monday, February 12, 2018 **Time:** 5:00 PM
Place: Clarence "Du" Burns Chambers
Subject: Ordinance- City Officials - Residency Requirements **CC Bill Number:** 17-0170

PLEASE PRINT		WHAT IS YOUR POSITION ON THIS BILL?		LOBBYIST: ARE YOU REGISTERED IN THE CITY (*)	
FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com
Deborah	Matthews				
Mary	Talley	201	E. Balto., St	21202	mary.talley@baltimorecity.gov
TIM	PAGGI (Paggi)		715 E PR ESTON	21202	TPAGGI@UBACT.EDU
Avery	Aisenstark	6026	CITY Hall	21202	✓ if needed

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Labor Committee

Monday, February 12, 2018

5:00 PM

Du Burns Council Chamber, 4th floor, City Hall

17-0170
CHARM TV 25

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEM SCHEDULED FOR PUBLIC HEARING

17-0170

City Officials - Residency Requirements

For the purpose of establishing residency requirements for certain agency heads and at-will supervisory employees; providing a certain qualified, short-term exception; defining certain terms; providing for the prospective application of this Ordinance; and generally relating to residency requirements, as limited by State law, for City personnel.

Sponsors:

Shannon Sneed, Brandon M. Scott, Ryan Dorsey, Kristerfer Burnett, John T. Bullock, Zeke Cohen, Sharon Green Middleton, Mary Pat Clarke, Bill Henry, Leon F. Pinkett, III

CHARM TV 25

BRIEFING

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



BALTIMORE CITY COUNCIL LABOR COMMITTEE

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Labor Committee is to examine Labor Management Issues in the Public and Private Sectors to ensure that working people of Baltimore have a safe and hospitable environment and equitable pay.

**The Honorable Shannon Sneed
Chairwoman**

PUBLIC HEARING

**MONDAY, FEBRUARY 12, 2018
5:00 PM**

CLARENCE "DU" BURNS COUNCIL CHAMBERS

TO BE TELEVISED ON CHARM TV 25

***Bill #17-0170
City Officials – Residency Requirements***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac “Yitzy” Schleifer
Shannon Sneed
Staff: Marguerite Currin

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: D’Paul Nibber

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac “Yitzy” Schleifer
Staff: Marguerite Currin

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac “Yitzy” Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: D’Paul Nibber

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Marguerite Currin

LAND USE AND TRANSPORTATION

Edward Reisinger - Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac “Yitzy” Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Jennifer Coates
- Larry Greene (pension only)

CITY OF BALTIMORE

CATHERINE D. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Labor

Bill 17-0170

City Officials – Residency Requirements

Sponsor: Councilmember Sneed, et al.

Introduced: December 4, 2017

Purpose:

For the purpose of establishing residency requirements for certain agency heads and at-will supervisory employees; providing a certain qualified, short-term exception; defining certain terms; providing for the prospective application of this Ordinance; and generally relating to residency requirements, as limited by State law, for City personnel.

Effective: On the 30th day after the date it is enacted.

Hearing Date/Time/Location: Monday, February 12, 2018/5:00 PM/Council Chambers

Agency Reports

Law Department

Department of Human Resources

Opposes

Analysis

Current Law

State of Maryland - [Article – Local Government – Section 1-201 – Annotated Code of Maryland – 2013 Volume and 2016 Supplement]

Effective October 1, 2017, **the State of Maryland** amended its law regarding residency requirements; **House Bill 167 – Counties and Municipalities – At-Will Supervisory Employees – Residency Requirements**. **A copy of House Bill 167 is attached**

Background

If enacted, Council Bill 17-0170 will add a new section to Article 1 of the Baltimore City Code entitled, Residency Requirements for City Officials, which would require all “Agency Heads” who reports directly to the Mayor; and any at-will supervisory employee who reports directly to the Mayor or to the Head of an Agency to live in the City and be a registered voter of same. *See attachment - House Bill 167*

However, there would be a short-term exception for those who sign a declaration of intent; which would expire within six (6) months of the effective date of his/her appointment.

Additional Information

Fiscal Note: Not Available

Information Source(s): Council Bill 17-0170, State Law – Annotated Code of Maryland, House Bill 167 and all agency reports received as of this writing.

Analysis by: ^{Marguerite M. Currin} Marguerite M. Currin Direct Inquiries to: 443-984-3485
Analysis Date: February 8, 2018

Chapter 776

(House Bill 167)

AN ACT concerning

Counties and Municipalities – At-Will Supervisory Employees – Residency Requirements

FOR the purpose of authorizing a county or municipality to require a certain at-will supervisory employee to reside in the State, county, or municipality or within a certain distance of the State, county, or municipality as a condition of employment under certain circumstances; providing for the application of a certain local law, ordinance, or policy enacted or adopted by a county or municipality; and generally relating to residency requirements for employees of counties and municipalities in the State.

BY repealing and reenacting, with amendments,

Article – Local Government

Section 1-201

Annotated Code of Maryland

(2013 Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Local Government

1-201.

(a) This section does not apply to:

- (1) an elected official;
- (2) the head of a unit of a county or municipality who reports directly to:
 - (i) the chief administrative officer of the county or municipality;
 - (ii) an elected executive; or
 - (iii) the governing body of the county or municipality; or
- (3) the chief administrative officer of the county or municipality.

(b) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A county or municipality may not require an employee to reside in the State,

county, or municipality or within a specified distance of the State, county, or municipality as a condition of employment.

(2) A COUNTY OR MUNICIPALITY MAY REQUIRE AN AT-WILL SUPERVISORY EMPLOYEE TO RESIDE IN THE STATE, COUNTY, OR MUNICIPALITY OR WITHIN A SPECIFIED DISTANCE OF THE STATE, COUNTY, OR MUNICIPALITY AS A CONDITION OF EMPLOYMENT IF THE AT-WILL SUPERVISORY EMPLOYEE REPORTS DIRECTLY TO THE HEAD OF A UNIT OF THE COUNTY OR MUNICIPALITY.

(3) Subject to subsection (c) of this section, when making employment, promotion, demotion, layoff, and discharge decisions, a county or municipality may not discriminate based on an individual's place of residence.

(c) A county or municipality may grant a resident of the State, county, or municipality additional points or credits in employment or promotion decisions if the points or credits are provided in accordance with a merit system established by the county or municipality by local law or ordinance.

(d) An agency created under State law that provides governmental services to more than one county or municipality may not require an employee, as a condition of employment, to reside in the State or a county or municipality or within a specified distance of the State, a county, or a municipality for which the agency provides governmental services.

SECTION 2. AND BE IT FURTHER ENACTED. That a local law, ordinance, or policy enacted or adopted in accordance with this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to the continued employment of any individual employed by a county or municipality before the effective date of the local law, ordinance, or policy enacted or adopted by the county or municipality in accordance with this Act.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved by the Governor, May 25, 2017.

**CITY OF BALTIMORE
COUNCIL BILL 17-0170
(First Reader)**

Introduced by: Councilmembers Sneed, Scott, Dorsey, Burnett, Bullock, Cohen, Middleton,
Clarke, Henry, Pinkett

Introduced and read first time: December 4, 2017

Assigned to: Labor Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Human Resources

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **City Officials – Residency Requirements**

3 FOR the purpose of establishing residency requirements for certain agency heads and at-will
4 supervisory employees; providing a certain qualified, short-term exception; defining certain
5 terms; providing for the prospective application of this Ordinance; and generally relating to
6 residency requirements, as limited by State law, for City personnel.

7 BY authority of

8 State Code Article - General Provisions

9 Section 1-201

10 (2014 Volume and 2016 Supplement)

11 (As amended by Chapter 776, 2017 Acts of the General Assembly)

12 BY adding

13 Article 1 - Mayor, City Council, and Municipal Agencies

14 Section 7-10

15 Baltimore City Code

16 (Edition 2000)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the**
18 **Laws of Baltimore City read as follows:**

19 **Baltimore City Code**

20 **Article 1. Mayor, City Council, and Municipal Agencies**

21 **Subtitle 7. City Officers and Employees**

22 **§ 7-10. RESIDENCY REQUIREMENTS FOR CITY OFFICIALS.**

23 (A) *DEFINITIONS.*

24 (1) *IN GENERAL.*

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0170

1 IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

2 (2) *AGENCY*.

3 “AGENCY” MEANS ANY DEPARTMENT, ANY BUREAU OR DIVISION WITHIN A
4 DEPARTMENT, AND ANY BOARD, COMMISSION, AUTHORITY, COUNCIL, COMMITTEE,
5 OFFICE, OR OTHER UNIT OF CITY GOVERNMENT.

6 (3) *OFFICIAL*.

7 “OFFICIAL” MEANS:

8 (I) THE HEAD OF AN AGENCY WHO REPORTS DIRECTLY TO THE MAYOR; AND

9 (II) ANY AT-WILL SUPERVISORY EMPLOYEE WHO REPORTS DIRECTLY TO THE
10 MAYOR OR TO THE HEAD OF AN AGENCY.

11 (B) *RESIDENCY REQUIREMENTS*.

12 EVERY OFFICIAL:

13 (1) MUST BE A RESIDENT AND REGISTERED VOTER OF BALTIMORE CITY AT THE TIME
14 OF HIS OR HER APPOINTMENT, EXCEPT ONLY AS OTHERWISE AUTHORIZED BY
15 SUBSECTION (C) OF THIS SECTION; AND

16 (2) MUST REMAIN A RESIDENT AND REGISTERED VOTER OF BALTIMORE CITY
17 THROUGHOUT HIS OR HER ENTIRE TERM OF OFFICE.

18 (C) *QUALIFIED, SHORT-TERM EXCEPTION*.

19 (1) *IN GENERAL*.

20 SUBSECTION (B)(1) OF THIS SECTION DOES NOT APPLY TO AN OFFICIAL WHO, BEFORE
21 HER OR HIS APPOINTMENT, SIGNS A DECLARATION OF INTENT TO BECOME A CITY
22 RESIDENT AND REGISTERED VOTER WITHIN 6 MONTHS OF THE EFFECTIVE DATE OF HER
23 OR HIS APPOINTMENT.

24 (2) *TERMINATION FOR FAILURE TO TIMELY COMPLY*.

25 IF THE OFFICIAL FAILS TO ABIDE BY THIS DECLARATION OF INTENT WITHIN THE 6-
26 MONTH PERIOD, THE OFFICIAL’S APPOINTMENT IS AUTOMATICALLY TERMINATED AT
27 THE END OF THAT PERIOD.

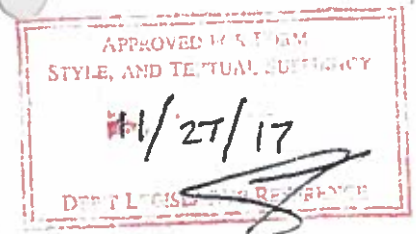
28 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance applies only prospectively
29 and may not be applied or interpreted to have any effect on or application to the continued
30 employment of any individual employed by the City before the effective date of this Ordinance.

31 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
32 are not law and may not be considered to have been enacted as a part of this or any prior
33 Ordinance.

Council Bill 17-0170

1 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Sneed

A BILL ENTITLED

AN ORDINANCE concerning

City Officials – Residency Requirements

FOR the purpose of establishing residency requirements for certain agency heads and at-will supervisory employees; providing a certain qualified, short-term exception; defining certain terms; providing for the prospective application of this Ordinance; and generally relating to residency requirements, as limited by State law, for City personnel.

BY authority of

State Code Article - General Provisions
Section 1-201
(2014 Volume and 2016 Supplement)
(As amended by Chapter 776, 2017 Acts of the General Assembly)

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section 7-10
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 7. City Officers and Employees

§ 7-10. RESIDENCY REQUIREMENTS FOR CITY OFFICIALS.

(A) DEFINITIONS.

(1) IN GENERAL.

IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

(2) *AGENCY.*

“AGENCY” MEANS ANY DEPARTMENT, ANY BUREAU OR DIVISION WITHIN A DEPARTMENT, AND ANY BOARD, COMMISSION, AUTHORITY, COUNCIL, COMMITTEE, OFFICE, OR OTHER UNIT OF CITY GOVERNMENT.

(3) *OFFICIAL.*

“OFFICIAL” MEANS:

- (I) THE HEAD OF AN AGENCY WHO REPORTS DIRECTLY TO THE MAYOR; AND
- (II) ANY AT-WILL SUPERVISORY EMPLOYEE WHO REPORTS DIRECTLY TO THE MAYOR OR TO THE HEAD OF AN AGENCY.

(B) *RESIDENCY REQUIREMENTS.*

EVERY OFFICIAL:

- (1) MUST BE A RESIDENT AND REGISTERED VOTER OF BALTIMORE CITY AT THE TIME OF HIS OR HER APPOINTMENT, EXCEPT ONLY AS OTHERWISE AUTHORIZED BY SUBSECTION (C) OF THIS SECTION; AND
- (2) MUST REMAIN A RESIDENT AND REGISTERED VOTER OF BALTIMORE CITY THROUGHOUT HIS OR HER ENTIRE TERM OF OFFICE.

(C) *QUALIFIED, SHORT-TERM EXCEPTION.*

(1) *IN GENERAL.*

SUBSECTION (B)(1) OF THIS SECTION DOES NOT APPLY TO AN OFFICIAL WHO, BEFORE HER OR HIS APPOINTMENT, SIGNS A DECLARATION OF INTENT TO BECOME A CITY RESIDENT AND REGISTERED VOTER WITHIN 6 MONTHS OF THE EFFECTIVE DATE OF HER OR HIS APPOINTMENT.

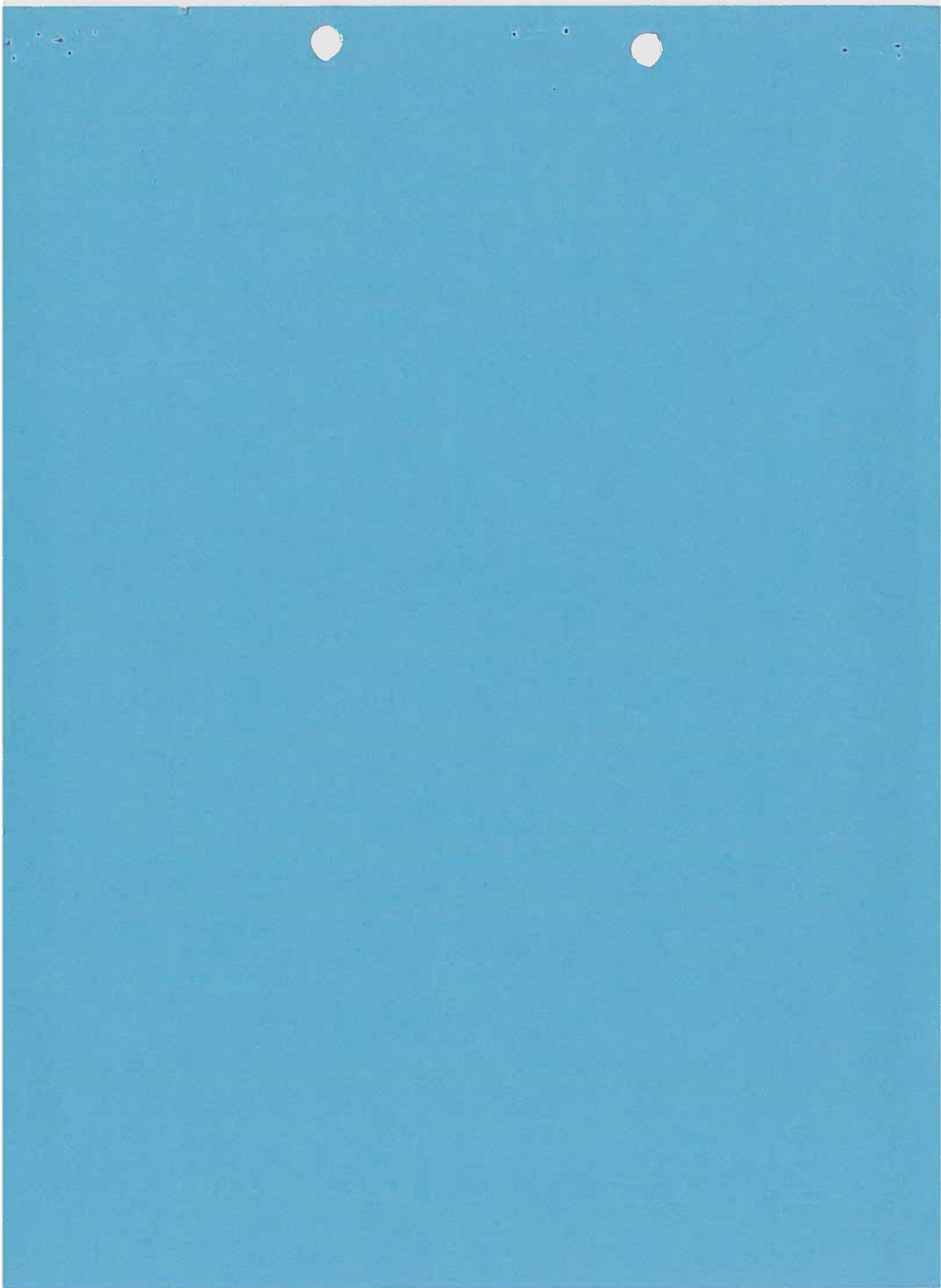
(2) *TERMINATION FOR FAILURE TO TIMELY COMPLY.*

IF THE OFFICIAL FAILS TO ABIDE BY THIS DECLARATION OF INTENT WITHIN THE 6-MONTH PERIOD, THE OFFICIAL’S APPOINTMENT IS AUTOMATICALLY TERMINATED AT THE END OF THAT PERIOD.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance applies only prospectively and may not be applied or interpreted to have any effect on or application to the continued employment of any individual employed by the City before the effective date of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.



ACTION BY THE CITY COUNCIL

DEC 04 2017
20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON February 12, 2018 _____ 20

COMMITTEE REPORT AS OF February 26, 2018 _____ 20

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION



Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

_____ FEB 26 2018
20

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ MAR 12 2018

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

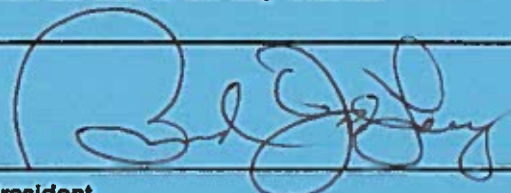
THIRD READING (ENROLLED) _____ 20

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.


THIRD READING (RE-ENROLLED) _____ 20

WITHDRAWAL _____ 20

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.



President



Chief Clerk