

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor  
101 City Hall  
Baltimore, Maryland 21202

August 30, 2013

Honorable President and Members  
of the City Council of Baltimore  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Attn: Karen Randle  
Executive Secretary

Re: City Council Bill 13-0247 – Change to Grow: 10-Year Plan –  
Retirement Savings Plan

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 13-0247 for form and legal sufficiency. City Council Bill 247 establishes a new tax-qualified defined contribution plan (the “Retirement Savings Plan of the City of Baltimore”) for the benefit of certain employees initially employed or reemployed by the City of Baltimore on or after January 1, 2014. The bill provides for the administration of the Plan and requires Plan members and the City to make contributions to the Plan each payroll period. The bill permits Plan members to select from among various investment options, imposes vesting rules for City contributions, provides for the distribution of a member’s account balance upon the occurrence of certain events and provides for ethics rules for employees and trustees of the City’s Pension plans.

Art. II, §24 of the Baltimore City Charter gives the Mayor and City Council the authority to establish and maintain a general system of pensions and retirement benefits for its employees. City Council Bill 13-0247 is a valid exercise of that authority. There is no legal prohibition to establishing a new retirement plan that applies only to persons entering City employment after the effective date of the legislation.

Based on the foregoing, the Law Department approves City Council Bill 13-0247 for form and legal sufficiency.

Sincerely,

Elena DiPietro  
Chief Solicitor



cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor  
Hilary Ruley, Assistant Solicitor  
Victor K. Tervalva, Assistant Solicitor  
Jennifer Landis, Assistant Solicitor