

CITY OF BALTIMORE
ORDINANCE 21.019
Council Bill 21-0044

Introduced by: The Council President
At the request of: Office of the Comptroller
Introduced and read first time: February 22, 2021
Assigned to: Public Safety and Government Operations Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: April 5, 2021

AN ORDINANCE CONCERNING

Retirement Boards – Composition

1

2 FOR the purpose of conforming the composition of the Board of Trustees for the Retirement
3 Savings Plan and Fire and Police Employees' Retirement Board of Trustees to allow a certain
4 designee of the Comptroller to act in the Comptroller's place; clarifying who the Chief of the
5 Fire Department may designate to attend meetings of the Fire and Police Employees'
6 Retirement Board of Trustees on the Chief's behalf; conforming and correcting related
7 provisions; and providing for a special effective date.

8 BY repealing and re-ordaining, with amendments

9 Article 22 - Retirement Systems
10 Section 33(b)
11 Baltimore City Code
12 (Edition 2000)

13 BY repealing and re-ordaining, without amendments

14 Article 22 - Retirement Systems
15 Section 33(a)
16 Baltimore City Code
17 (Edition 2000)

18 BY repealing and re-ordaining, with amendments

19 Article 22A - Retirement Savings Plan
20 Section 2-2(a)(1)
21 Baltimore City Code
22 (Edition 2000)

23 BY repealing and re-ordaining, without amendments

24 Article 22A - Retirement Savings Plan
25 Section 2-1
26 Baltimore City Code
27 (Edition 2000)

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.

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

3 Baltimore City Code

4 Article 22. Retirement Systems

5 Fire and Police Employees' Retirement System

6 § 33. Administration

7 (a) *Board of Trustees.*

8 The general administration and the responsibility for the proper operation of the
9 retirement system and for making effective the provisions of this subtitle, subject to the
10 provisions contained in subsection (1) of this section, are hereby vested in a Board of
11 Trustees which shall be organized immediately after 3 of the trustees provided for in this
12 section have qualified and taken the oath of office.

13 (b) *Members.*

14 The Board consists of 11 Trustees, as follows:

- 15 (1) The Comptroller of the City of Baltimore, ex-officio. THE COMPTROLLER MAY
16 DESIGNATE A REPRESENTATIVE TO ATTEND ANY MEETING OF THE BOARD OF
17 TRUSTEES IN THE COMPTROLLER'S PLACE. THIS REPRESENTATIVE MUST BE A
18 DEPUTY COMPTROLLER. THIS REPRESENTATIVE HAS THE AUTHORITY TO ACT IN
19 THE COMPTROLLER'S PLACE.
- 20 (2) The Police Commissioner, ex officio. The Police Commissioner may designate a
21 representative to attend any meeting of the Board of Trustees in [his or her] THE
22 COMMISSIONER'S place. This representative must be a Deputy Police
23 Commissioner and must be a member of this system. This representative has the
24 authority to act in the Commissioner's place
- 25 (3) The Chief of the Fire Department, ex officio. The Chief of the Fire Department
26 may designate a representative to attend any meeting of the Board of Trustees in
27 [his or her] THE CHIEF'S place. This representative must [be the Assistant Chief
28 of Safety and Member Services or another official who holds equivalent rank and
29 whose responsibilities are primarily administrative, as distinct from operational,]
30 HOLD A POSITION WHOSE RANK AND RESPONSIBILITIES INCLUDE DECISION-MAKING
31 AUTHORITY ON BEHALF OF THE CHIEF and must be a member of this System. This
32 representative has the authority to act in the Chief's place.

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1 (4) The Director of Finance, ex officio. The Director of Finance may designate a
2 representative to attend any meeting of the Board of Trustees in [his or her] THE
3 DIRECTOR'S place. This representative must be either the Deputy Director of
4 Finance or the Budget Director. This representative has the authority to act in the
5 Director of Finance's place.

6

7 **Article 22A. Retirement Savings Plan**

8 **Subtitle 2. Administration**

9 **§ 2-1. Board established.**

10 There is a Board of Trustees of the Retirement Savings Plan.

11 **§ 2-2. Board composition.**

12 (a) *In general.*

13 (1) The Board consists of the following 13 trustees, all of whom serve with voting
14 privileges:

15 (i) the Director of Finance or the Director's designated representative, who must
16 be either the Deputy Director of Finance or the Budget Director;

17 (ii) the City Comptroller OR THE COMPTROLLER'S DESIGNATED REPRESENTATIVE,
18 WHO MUST BE A DEPUTY COMPTROLLER;

19 (iii) the Director of Human Resources;

20 (iv) the City Labor Commissioner;

21 (v) 2 representatives of the Baltimore City Public School System, to be designated
22 by the Chief Executive Officer of the Baltimore City Public School System;

23 (vi) the President of AFSCME Local 44 or the President's designated
24 representative;

25 (vii) the President of the City Union of Baltimore ("CUB") or the President's
26 designated representative;

27 (viii) the President of the Managerial and Professional Society of Baltimore, Inc.
28 ("MAPS") or the President's designated representative;

29 (ix) a representative jointly designated by the Baltimore Fire Officers Association
30 and Baltimore City Lodge #3 Fraternal Order of Police;

31 (x) 2 residents and registered voters of the City of Baltimore, to be appointed by
32 the Mayor in accordance with City Charter Article IV, §6; and

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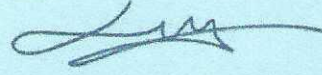
1 (xi) a representative appointee to be designated by the City Council President.

2 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
3 are not law and may not be considered to have been enacted as a part of this or any prior
4 Ordinance.

5 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on day it is
6 enacted.

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Certified as duly passed this 19 day of April, 2021



President, Baltimore City Council

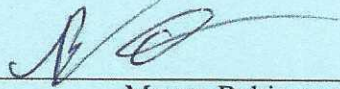
Certified as duly delivered to His Honor, the Mayor,

this 19 day of April, 2021



Chief Clerk

Approved this 12 day of May, 2021



Mayor, Baltimore City

Approved for form and legal sufficiency
This 21st saay of April, 2021.



Chief Solicitor

ATRUE COPY
Henry Raymond
Director of Finance