

**CITY OF BALTIMORE  
COUNCIL BILL 22-0238  
(Resolution)**

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Introduced by: Councilmember Ramos, Porter, Cohen, Conway

Introduced and read first time: May 16, 2022

Assigned to: Rules and Legislative Oversight Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Office of the Inspector General, Board of Ethics

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A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – Inspector General – Advisory Board**

3 FOR the purpose of altering the method by which individuals are selected to be members of the  
4 advisory board that appoints or removes the Inspector General; requiring a member of the  
5 City Council to consider certain factors when nominating a candidate for the advisory board;  
6 setting term limits and staggering certain terms; and submitting this amendment to the  
7 qualified voters of the City for adoption or rejection.

8 BY proposing to amend

9 Article IV - Mayor  
10 Section 6(g)  
11 Baltimore City Charter  
12 (1996 Edition)

13 BY proposing to add

14 Article VII - Executive Departments  
15 New Section 110  
16 Baltimore City Charter  
17 (1996 Edition)

18 BY proposing to renumber

19 Article VII - Executive departments  
20 Section 110 to be 111  
21 Baltimore City Charter  
22 (1996 Edition)

23 BY proposing to amend

24 Article X - Office of the Inspector General  
25 Section 2  
26 Baltimore City Charter  
27 (1996 Edition)

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

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1 BY proposing to add  
2 Article VII - Executive Department  
3 New Section 3  
4 Baltimore City Charter  
5 (1996 Edition)

6 BY proposing to renumber  
7 Article X - Office of the Inspector General  
8 Sections 3, 4, 5, and 6, respectively  
9 to be Sections 4, 5, 6, and 7 respectively  
10 Baltimore City Charter  
11 (1996 Edition)

12 **SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
13 City Charter is proposed to be amended to read as follows:

14 **Baltimore City Charter**

15 **Article IV. Mayor**

16 **§ 6. Appointments of municipal officers.**

17 (g) *Vacancies – Boards and commissions.*

18 When a vacancy occurs on a board or commission established by this Charter, or other  
19 law, the Mayor shall have, for 120 days after the occurrence of that vacancy, the sole  
20 power of appointment to the vacant office. Such appointment shall be subject to  
21 confirmation by the City Council in the manner prescribed in this section.

22 If the Mayor fails to submit a nomination within the time prescribed in this subsection,  
23 the power of appointment shall vest and be held by the board or commission to which the  
24 vacancy shall apply, and that board or commission, by majority vote, shall certify the  
25 name of a person to the City Council for confirmation in the manner prescribed in this  
26 section.

27 For the purposes of this subsection only, a vacancy shall occur upon the occurrence of an  
28 event enumerated in subsection (f) hereof, and also upon the rejection by the City Council  
29 of a nomination to a board or commission.

30 THIS SUBSECTION IS NOT APPLICABLE TO THE ADVISORY BOARD ESTABLISHED BY  
31 ARTICLE X, SECTION 2, OF THIS CHARTER.

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**Article VII. Executive Departments**

***Board of Ethics***

**§ 110. CHAIR: POWERS AND DUTIES.**

THE CHAIR OF THE BOARD OF ETHICS SHALL HAVE EXCLUSIVE AUTHORITY TO SELECT AT RANDOM THE 7 MEMBERS OF THE ADVISORY BOARD TO APPOINT THE INSPECTOR GENERAL, AS DESCRIBED IN ARTICLE X, SECTION 2 OF THIS CHARTER.

IN THE EVENT A VACANCY OCCURS ON THE ADVISORY BOARD, THE CHAIR SHALL BE AUTHORIZED TO FILL THE VACANCY THROUGH THE PROCESS OUTLINED IN ARTICLE X, SECTION 2 OF THIS CHARTER.

**§ 111. [110.] Board of Ethics: Modification by ordinance.**

The Mayor and City Council, by ordinance, may modify, amend, alter, clarify or implement any or all of the provisions of Sections 105 through [110] 111 of this Article VII.

**Article X. Office of the Inspector General**

**§ 2. Office of Inspector General: [The Inspector General.] ADVISORY BOARD.**

(a) [*Appointment.*] *IN GENERAL.*

(1) The Inspector General is appointed by an advisory board to be comprised of [5 or] 7 members as provided in this [subsection (a)] SECTION.

[(2) The advisory board consists of the following:]

[(i) the Mayor, or the Mayor's designee;]

[(ii) the City Solicitor, who serves as the Chair of the advisory board and may assign staff to the advisory board from the Law Department;]

[(iii) the Comptroller, or the Comptroller's designee;]

[(iv) the City Council President, or the President's designee; and]

[(v) a member of the City Council appointed by the City Council President.]

[(3) The Mayor and City Council President may appoint 2 additional members to the advisory board from the list provided in paragraph (4) of this subsection if:]

[(i) the Mayor and the City Council President jointly agree to an appointment; and]

[(ii) the members appointed agree to serve on the advisory board.]

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1 [(4) The 2 additional members that may be selected to serve on the advisory board  
2 pursuant to paragraph (3) of this subsection may only be as follows:]

3 [(i) the Dean of the University of Maryland School of Law; and]

4 [(ii) the Dean of the University of Baltimore School of Law.]

5 [(5) A quorum of the advisory board consists of 4 members.]

6 [(6) An affirmative vote of at least 4 members shall be necessary to appoint an  
7 Inspector General.]

8 (2) THE ADVISORY BOARD IS ENTITLED TO THE ASSISTANCE OF THE BALTIMORE CITY  
9 DEPARTMENT OF HUMAN RESOURCES FOR PURPOSES OF ADVERTISING A VACANCY  
10 AND INTERVIEWING AND HIRING CANDIDATES FOR THE POSITION OF INSPECTOR  
11 GENERAL.

12 (3) THE MAYOR MUST PROVIDE THE ADVISORY BOARD WITH ACCESS TO CITY RESOURCES  
13 TO FACILITATE THE ADVISORY BOARD'S COMPLETION OF ITS RESPONSIBILITIES.

14 (B) *QUALIFICATIONS.*

15 AN INDIVIDUAL IS QUALIFIED TO SERVE AS A MEMBER OF THE ADVISORY BOARD IF THE  
16 INDIVIDUAL:

17 (1) HAS RESIDED WITHIN THE CITY OF BALTIMORE FOR THE FULL 2 YEARS  
18 IMMEDIATELY PRECEDING THE DATE OF THE INDIVIDUAL'S APPLICATION FOR THE  
19 POSITION;

20 (2) IS OVER THE AGE OF 21 YEARS OLD;

21 (3) HAS NEVER BEEN CONVICTED OF AN OFFENSE UNDER SECTION 16-201(A)(5) OR (6)  
22 OF THE STATE ELECTION LAW ARTICLE; AND

23 (4) HAS A BACKGROUND IN, OR FAMILIARITY WITH, ETHICS, LAW, PROGRAM OR  
24 PERFORMANCE EVALUATION, OR ACCOUNTING OR HAS A FAMILIARITY WITH THE  
25 OFFICE OF THE INSPECTOR GENERAL AND THE DUTIES OF THE OFFICE.

26 (C) *ELIGIBILITY.*

27 IN ADDITION TO THE REQUIRED QUALIFICATIONS IN SUBSECTION (B) OF THIS SECTION, AN  
28 APPLICANT IS NOT ELIGIBLE FOR APPOINTMENT TO THE ADVISORY BOARD IF THE  
29 INDIVIDUAL:

30 (1) IS OR BECOMES AN EMPLOYEE OR ELECTED OFFICER OF:

31 (I) THE STATE OF MARYLAND;

32 (II) THE CITY OF BALTIMORE;

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1 (III) ANY STATE OR CITY AGENCY, INSTRUMENTALITY, OR ANY OTHER UNIT OF  
2 A STATE ENTITY EXCEPT:

3 (A) A STATE COLLEGE;

4 (B) A STATE UNIVERSITY; OR

5 (C) ANOTHER INSTITUTION OF HIGHER EDUCATION;

6 (2) IS OR BECOMES A CANDIDATE FOR ELECTED PUBLIC OFFICE OF:

7 (I) THE STATE OF MARYLAND;

8 (II) THE CITY OF BALTIMORE; OR

9 (III) ANY COUNTY OR MUNICIPALITY OF THE STATE.

10 (3) IS OR BECOMES AN ELECTED MUNICIPAL OFFICER’S:

11 (I) SPOUSE;

12 (II) PARENT;

13 (III) CHILD; OR

14 (IV) SIBLING;

15 (4) IS OR BECOMES A RESPONSIBLE OFFICER, AS DEFINED IN SECTION 1-101(MM) OF  
16 THE STATE ELECTION LAW ARTICLE;

17 (5) IS OR BECOMES EMPLOYED BY THE CITY OF BALTIMORE OR THE STATE OF  
18 MARYLAND IN ANY CAPACITY; OR

19 (6) IS OR BECOMES A LOBBYIST UNDER:

20 (I) THE STATE GENERAL PROVISIONS ARTICLE, TITLE 5 {“MARYLAND PUBLIC  
21 ETHICS LAW”};

22 (II) ARTICLE 8, SUBTITLE 8 {“LOBBYING”} OF THE CITY CODE; OR

23 (III) THE ETHICS CODE OF ANY POLITICAL SUBDIVISION OF THE STATE.

24 (D) *NOMINATION PROCESS: IN GENERAL.*

25 (1) AN INDIVIDUAL WHO MEETS THE REQUIREMENTS SET FORTH IN SUBSECTIONS (B) AND  
26 (C) OF THIS SECTION MAY SUBMIT AN APPLICATION TO THE MEMBER OF THE CITY  
27 COUNCIL WHO REPRESENTS THE DISTRICT IN WHICH THE INDIVIDUAL RESIDES, IN THE  
28 FORM REQUIRED BY THE BOARD OF ETHICS.

29 (2) EACH MEMBER OF THE CITY COUNCIL MUST:

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- 1 (I) REVIEW THE APPLICATIONS RECEIVED PURSUANT TO PARAGRAPH (1) OF THIS  
2 SUBSECTION; AND
- 3 (II) SELECT 1 APPLICANT AS THE NOMINEE TO THE ADVISORY BOARD FROM THAT  
4 MEMBER'S DISTRICT.

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1 (E) *NOMINATION PROCESS: DIVERSITY.*

2 (1) THE MEMBERSHIP OF THE ADVISORY BOARD MUST BE INCLUSIVE AND REFLECT THE  
3 RACIAL AND GENDER DIVERSITY OF THE CITY OF BALTIMORE.

4 (2) A MEMBER OF THE CITY COUNCIL MUST GIVE REASONABLE CONSIDERATION TO THE  
5 DIVERSITY OF THE MEMBER'S DISTRICT WHEN SELECTING A NOMINEE TO THE  
6 ADVISORY BOARD.

7 (F) *NOMINATION PROCESS: FINAL APPOINTMENTS.*

8 (1) FINAL RANDOM SELECTIONS TO THE ADVISORY BOARD MUST BE MADE BY THE CHAIR  
9 OF THE BOARD OF ETHICS, PURSUANT TO ARTICLE VII, SECTION 110 OF THIS  
10 CHARTER.

11 (2) 5 OF THE 7 MEMBERS OF THE ADVISORY BOARD MUST BE RANDOMLY SELECTED BY THE  
12 CHAIR OF THE BOARD OF ETHICS ON THE FOLLOWING BASIS:

13 (I) 1 MEMBER FROM AMONG THE 3 NOMINEES SUBMITTED FROM CITY COUNCIL  
14 DISTRICTS 1, 2, AND 3;

15 (II) 1 MEMBER FROM AMONG THE 3 NOMINEES SUBMITTED FROM CITY COUNCIL  
16 DISTRICTS 4, 5, AND 6;

17 (III) 1 MEMBER FROM AMONG THE 3 NOMINEES SUBMITTED FROM CITY  
18 COUNCIL DISTRICTS 7, 8, AND 9;

19 (IV) 1 MEMBER FROM AMONG THE 3 NOMINEES SUBMITTED FROM CITY  
20 COUNCIL DISTRICTS 10, 11, AND 12; AND

21 (V) 1 MEMBER FROM AMONG THE 2 NOMINEES SUBMITTED FROM CITY COUNCIL  
22 DISTRICTS 13 AND 14.

23 (3) THE 2 MEMBERS OF THE ADVISORY BOARD NOT SELECTED FROM THE CITY COUNCIL  
24 DISTRICT NOMINEES, AS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION, MUST BE  
25 SELECTED BY THE CHAIR OF THE BOARD OF ETHICS AT RANDOM FROM AMONG THE  
26 MEMBERSHIP OF ANY OF THE FOLLOWING PROFESSIONAL ORGANIZATIONS:

27 (I) THE BALTIMORE CITY BAR ASSOCIATION;

28 (II) THE ASSOCIATION OF CERTIFIED FRAUD EXAMINERS; OR

29 (III) THE ASSOCIATION OF CERTIFIED PUBLIC ACCOUNTANTS.

30 (4) THE 2 MEMBERS OF THE ADVISORY BOARD SELECTED PURSUANT TO PARAGRAPH (3)  
31 OF THIS SUBSECTION MUST ALSO COMPLY WITH ALL ELIGIBILITY AND QUALIFICATION  
32 REQUIREMENTS FOR ADVISORY BOARD MEMBERS OUTLINED IN THIS SUBSECTION.

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1 (G) *TERM OF MEMBERS.*

2 (1) THE TERMS OF THE MEMBERS OF THE ADVISORY BOARD MUST BE STAGGERED AND  
3 MAY NOT BE COTERMINOUS WITH THE MAYOR'S TERM OF OFFICE.

4 (2) OF THE INITIAL 7 APPOINTMENTS TO THE ADVISORY BOARD:

5 (I) THE MEMBERS APPOINTED PURSUANT TO PARAGRAPHS (2)(V) AND (3) OF  
6 SUBSECTION (F) OF THIS SECTION MUST EACH SERVE A TERM OF 3 YEARS; AND

7 (II) THE REMAINING MEMBERS MUST EACH SERVE A TERM OF 4 YEARS.

8 (3) AFTER THE INITIAL TERMS OF THE ADVISORY BOARD MEMBERS HAVE EXPIRED, A  
9 MEMBER OF THE ADVISORY BOARD SHALL SERVE A TERM OF 4 YEARS.

10 (4) THE TERM REQUIRED BY PARAGRAPH (2)(I) OF THIS SUBSECTION SHALL BE  
11 CONSIDERED A FULL TERM FOR THE PURPOSES OF THE TERM LIMITS ESTABLISHED IN  
12 ARTICLE IV, SECTION 6(E) OF THIS CHARTER.

13 (5) NO MEMBER OF THE ADVISORY BOARD MAY SERVE MORE THAN 2 CONSECUTIVE FULL  
14 TERMS.

15 (H) *REMOVAL OF ADVISORY BOARD MEMBER.*

16 (1) THE BOARD OF ETHICS MAY REMOVE MEMBERS OF THE ADVISORY BOARD AT ANY  
17 TIME, SUBJECT TO APPROVAL BY A MAJORITY VOTE OF THE MEMBERS OF THE BOARD  
18 OF ETHICS.

19 (2) IF A MEMBER OF THE ADVISORY BOARD IS REMOVED PURSUANT TO PARAGRAPH (1) OF  
20 THIS SUBSECTION, THE DATE AND TIME OF THE REMOVAL SHALL COINCIDE WITH THE  
21 DATE AND TIME THE BOARD OF ETHICS APPROVED THE REMOVAL.

22 (I) *VACANCIES.*

23 THE CHAIR OF THE BOARD OF ETHICS SHALL SELECT AT RANDOM A MEMBER FROM THE  
24 NOMINATIONS SUBMITTED AT THE OUTSET OF THAT PARTICULAR POSITION'S TERM.

25 (J) *PROCEDURES.*

26 (1) A QUORUM OF THE ADVISORY BOARD CONSISTS OF 4 MEMBERS.

27 (2) THE ADVISORY BOARD SHALL ELECT A CHAIR FROM THE MEMBERSHIP OF THE  
28 ADVISORY BOARD.

29 (3) AN AFFIRMATIVE VOTE OF AT LEAST 4 MEMBERS SHALL BE NECESSARY TO APPOINT AN  
30 INSPECTOR GENERAL.  
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1 (K) *REQUIRED TRAINING.*

2 PRIOR TO BEGINNING THEIR DUTIES, THE MEMBERS OF THE ADVISORY BOARD SHALL  
3 ATTEND A TRAINING SESSION, TO BE PROVIDED BY THE CHAIR OF THE BOARD OF ETHICS,  
4 THAT DETAILS:

- 5 (1) BALTIMORE CITY ETHICS LAW;
- 6 (2) THE RULES GOVERNING THE ADVISORY BOARD; AND
- 7 (3) THE RULES GOVERNING AND DUTIES OF THE INSPECTOR GENERAL.

8 (L) *ANNUAL OVERVIEW.*

9 THE ADVISORY BOARD SHALL APPEAR BEFORE THE CITY COUNCIL AT LEAST ONCE A YEAR  
10 TO PROVIDE THE CITY COUNCIL WITH AN OVERVIEW OF THE ACTIVITIES OF THE ADVISORY  
11 BOARD AND THE OFFICE OF THE INSPECTOR GENERAL.

12 **§ 3. OFFICE OF INSPECTOR GENERAL: THE INSPECTOR GENERAL.**

13 (A) [(b)] *Qualifications.*

- 14 (1) The Inspector General shall be appointed without regard to political affiliation and  
15 must have substantial experience in auditing, financial analysis, criminal justice law,  
16 management analysis, public administration, investigations, or another appropriate  
17 field.
- 18 (2) The Inspector General shall hold at the time of appointment, or be required to obtain  
19 within 7 months after appointment, certification as a Certified Inspector General.

20 (B) [(c)] *Term.*

21 The Inspector General shall serve a term of 6 years commencing from the date of  
22 appointment.

23 (C) [(d)] *Removal.*

24 The Inspector General may be removed from office by an affirmative vote of at least 4  
25 members of the advisory board for:

- 26 (1) misconduct in office;
- 27 (2) persistent failure to perform the duties of office; or
- 28 (3) conduct prejudicial to the proper administration of justice.

29 (D) [(e)] *Reports concerning a vacancy or incapacity.*

30 Whenever the Office of the Inspector general remains vacant for 180 days, or whenever  
31 the Inspector General is incapacitated or otherwise unable to perform the duties of the

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1 office for 180 days, the Chair of the advisory board shall issue a report to the City  
2 Council on the 180th day, and every 2 months thereafter until the vacancy is filled or the  
3 Inspector General reports to work, describing the status of the efforts to fill the vacancy or  
4 the status of the Absent Inspector General.

5 (E) [(f)] *Performance review.*

6 The advisory board shall meet at least once annually to review the performance of the  
7 Inspector General.

8 **SECTION 2. AND BE IT FURTHER RESOLVED,** That Sections 3, 4, 5, and 6, respectively of  
9 Article X – Office of the Inspector General of this Charter are renumbered to be Sections 4, 5, 6,  
10 and 7, respectively.

11 **SECTION 3. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City  
12 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,  
13 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the  
14 City Solicitor.