City of Baltimore

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

Legislation Details (With Text)

File #:	22-0254	**Version:** 0	**Name:**	Office of Aging - Independent Agency
Type:	Ordinance		**Status:**	Enacted
File created:	7/25/2022		**In control:**	Baltimore City Council
On agenda:			**Final action:**	9/27/2023
Enactment date:			**Enactment #:**	23-264

Title: Office of Aging - Independent Agency
For the purpose of establishing an Office of Aging as an independent agency; defining certain terms; providing for the appointment of the Director of the Office; establishing duties of the Office; providing for the staff and budget of the Office; requiring the adoption of certain rules and regulations; requiring the Office to submit an annual report to the Mayor and City Council; establishing the Commission on Aging to advise and collaborate with the Office; providing for the appointment, structure, and governance of the Commission; requiring the Commission to submit an annual report to the Director; and requiring Commission members, the Director, and other staff of the Office to file financial disclosures under the Ethics Code.

Sponsors: Zeke Cohen, Sharon Green Middleton, Odette Ramos, Danielle McCray, John Bullock, Kristerfer Burnett, Mark Conway, Ryan Dorsey, Phylicia Porter, James Torrence

Indexes: Office of Aging

Code sections:

Attachments: 1. 22-0254~1st Reader, 2. ETHICS 22-0254, 3. Law 22-0254 Final(2), 4. Finance 22-0254, 5. BCHD Presentation - Council Hearing 22-0254 Office of Aging, 6. 22-0254 BBMR Senior Services Report, 7. BCHD Presentation - Council Hearing 22-0254 Office of Aging, 8. BCHD 22-0254, 9. CARE 22-0254, 10. 22-0254 Agenda, 11. 22-0254 Attendance Sheet, 12. 22-0254 Bill Synopsis, 13. 22-0254 Minutes, 14. 22-0254 Testimony Economic Action MD, 15. 22-0254 Testimony Mary Pat Clarke, 16. 22-0254 Testimony Robin Kaplan, 17. 22-0254 Testimony S Matthews pdf, 18. 22-0254 Testimony Schuchman pdf, 19. 22-0254 Hearing Notes, 20. ECD Agenda June 27 2023, 21. ECD Hearing Notes 22-0254 June 27 2023, 22. Voting Record 22-0254, 23. Commission on Aging 22-0254 agency report, 24. cc22-0254(2)~1st (ECD), 25. cc22-0254(2)~1st (Floor - Middleton - Amendment to Committee), 26. BDSimon.LOS.Office of Aging - Independent Agency.7.17.2023, 27. 22-0254~3rd Reader, 28. Signed - 22-0254~3rd Reader, 29. Completed Ordinance 22-0254

Date	Ver.	Action By	Action	Result
10/2/2023	0	Mayor	Signed by Mayor	
8/21/2023	0	Baltimore City Council	Approved and Sent to the Mayor	
7/17/2023	0	Baltimore City Council	3rd Reader, for final passage	
7/17/2023	0	Economic and Community Development	Recommended Favorably with Amendment	
6/27/2023	0	Economic and Community Development	Recommended Favorably with Amendment	Pass
5/15/2023	0	Economic and Community Development	Scheduled for a Public Hearing	
12/5/2022	0	Economic and Community Development	Scheduled for a Public Hearing	
10/24/2022	0	Economic and Community Development	Scheduled for a Public Hearing	
7/28/2022	0	Baltimore City Council	Refer to Dept. of Finance	

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7/28/2022	0	Baltimore City Council	Refer to City Solicitor
7/28/2022	0	Baltimore City Council	Refer to Commission on Aging and Retirement Education
7/28/2022	0	Baltimore City Council	Refer to Board of Ethics
7/28/2022	0	Baltimore City Council	Refer to Dept. of Health
7/25/2022	0	Baltimore City Council	Assigned
7/25/2022	0	Baltimore City Council	Introduced

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.

Introductory*

City of Baltimore
Council Bill

Introduced by: Councilmembers Cohen, Middleton

A Bill Entitled

An Ordinance concerning
Office of Aging - Independent Agency
For the purpose of establishing an Office of Aging as an independent agency; defining certain terms; providing for the appointment of the Director of the Office; establishing duties of the Office; providing for the staff and budget of the Office; requiring the adoption of certain rules and regulations; requiring the Office to submit an annual report to the Mayor and City Council; establishing the Commission on Aging to advise and collaborate with the Office; providing for the appointment, structure, and governance of the Commission; requiring the Commission to submit an annual report to the Director; and requiring Commission members, the Director, and other staff of the Office to file financial disclosures under the Ethics Code.

By repealing
Article 1 - Mayor, City Council, and Municipal Agencies
Sections 14-1 to 14-6 and Subtitle 14, Commission on the Aging and Retirement Education
Baltimore City Code
(Edition 2000)

By adding
Article 1 - Mayor, City Council, and Municipal Agencies
Sections 14-1 to 14-14, to be under the new subtitle designation,
"Subtitle 14. Aging Services"
Baltimore City Code
(Edition 2000)

By repealing and reordaining, with amendments
Article 8 - Ethics
Section 7-8(1)
Baltimore City Code
(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That City Code Article 1,

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Subtitle 14 {"Commission on the Aging and Retirement Education"} is repealed, in its entirety.

Section 2. 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 14. Aging Services

Part I. Office of Aging

§ 14-1. Definitions.

(a) *In general*.

In this subtitle, the following terms have the meanings indicated.

(b) *Commission*.

"Commission" means the Baltimore City Commission on Aging.

(c) *Director.*

"Director" means the Director of the Baltimore City Office of Aging.

(d) *Office.*

"Office" means the Baltimore City Office of Aging.

(e) *Older individual.*

"Older individual" means an individual who is 60 years of age or older.

§ 14-2. Office established.

There is a Baltimore City Office of Aging.

§ 14-3. Director of the Office.

(a) *In general.*

The Director is responsible for the administration and oversight of the Office.

(b) *Appointment*.

The Director is appointed by the Mayor in accordance with Article IV, § 6 of the City Charter

(c) *Salary.*

The Director shall receive such salary as may be provided in the Ordinance of Estimates.

§ 14-4. Powers and duties of the Office.

The Office shall:

(1) evaluate the service needs of older individuals in the City;

(2) determine the extent to which existing public and private programs meet the needs of older individuals;

(3) establish priorities for meeting the needs of older individuals;

(4) coordinate, assess, evaluate, and educate the public and professionals about all state and local programs and services, both public and private, that relate and are important to the well-being of older individuals in the City, including, but not limited to, programs and services in the areas of:

(i) income maintenance;

(ii) public health;

(iii) mental health;

(iv) housing and urban development;

(v) employment;

(vi) education;

(vii) recreation;

(viii) rehabilitation of older individuals with physical or mental disabilities;

(ix) caregiver support;

(x) Medicare and Medicaid; and

(xi) safety;

(5) develop a Citywide plan that corresponds with State plans and programs for a comprehensive and coordinated system of health, social, and community services for older individuals, including housing and institutional and noninstitutional care;

(6) administer the programs and activities that the State government delegates to the City under the Older Americans Act of 1965 that are not otherwise committed by law to another unit of City government;

(7) facilitate the administration of the Federal Commodity Supplemental Food Program, as established under 7 C.F.R. 247 {"Commodity Supplemental Food Program"}, in the City;

(8) consult with the Commission on Aging on all matters pertaining to programs for older individuals;

(9) maintain a liaison with the State Department of Aging and the State Commission on Aging;

(10) review and recommend policies to the Mayor on publicly funded plans and programs that affect older individuals; and

(11) perform other functions as may be assigned by the Mayor.

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§ 14-5. Staff and budget.

(a) *Staff*.

The Office may employ staff in accordance with the Ordinance of Estimates.

(b) *Budget*.

The Office may expend funds authorized in the Ordinance of Estimates or any supplemental appropriations.

§ 14-6. Rules and regulations.

Subject to Title 4 {"Administrative Procedure Act - Regulations"} of the City General Provisions Article, the Director must adopt rules and regulations to carry out this subtitle.

§ 14-7. Annual report.

On or before June 30 of each year, the Office must submit an annual report to the Mayor and City Council detailing:

(1) the activities of the Office; and

(2) the trainings, exercises, and community outreach activities the Office conducted during the previous year.

§§ 14-8 to 14-10. ***{Reserved}***

Part II. Commission on Aging

§ 14-11. Established.

There is a Baltimore City Commission on Aging.

§ 14-12. Composition.

(a) *In general.*

The Commission shall consist of 24 members, 18 of whom are appointed by the Mayor in accordance with Article IV, § 6 {"Administrative Procedure Act - Regulations"} of the Baltimore City Charter, and 6 of whom are ex-officio members.

(b) *Appointed members.*

(1) *In general*.

The Mayor shall appoint commission members to represent the diversity of people and ideas within the City's older individuals community with regard to equity, socioeconomic status, religion, race, ethnicity, gender identification, and family composition.

(2) *Membership.*

Of the 18 members to be appointed by the Mayor:

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(1) at least 4 shall be over 65 years of age;

(2) 2 shall be selected to represent the pre-retirement aspects of the Commission's work;

(3) 1 shall be a member of the City Council;

(4) 1 shall be a member of the Maryland State Medical Society;

(5) 1 shall be a member of the Baltimore City Medical Society;

(6) 1 shall be a member of organized labor;

(7) 1 shall represent a private industry that supports older individuals;

(8) 2 shall be associated with voluntary organizations which provide services to older individuals; and

(9) 5 shall be selected because of their general interest in providing services to older individuals.

(c) *Ex-officio members.*

The 6 ex-officio members of the Commission are the following, or their designated representatives:

(1) the Commissioner of Health;

(2) the Director of the Department of Social Services;

(3) the Director of the Department of Planning;

(4) the Police Commissioner;

(5) the Commissioner of the Department of Housing and Community Development; and

(6) the Director of the Department of Recreation and Parks.

§ 14-13. Terms of office and organization.

(a) *Terms.*

Appointed members serve a term of 4 years, concurrent with the terms of the Mayor and the City Council, and at the end of a term, an appointed member continues to serve until a successor is appointed and qualified.

(b) *Chair.*

The Mayor shall designate at least 1 but no more than 2 of the appointed members to serve as Chairs of the Commission.

(c) *Vacancies.*

If there is a vacancy in the membership of the Commission, the member appointed by the Mayor to fill the vacancy must meet the same qualifications for appointment as the member being succeeded and shall serve for the remainder of the unexpired term.

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(d) *Compensation*.

The members of the Commission shall receive no compensation for their services on the Commission, but shall be reimbursed for the reasonable and necessary expenses incurred in the performance of their duties.

(e) *Meetings; Quorum.*

(1) The Commission shall meet at least monthly.

(2) A majority of the members of the Commission constitutes a quorum for the transaction of business.

(f) *Attendance at meetings*.

Any appointed member of the Commission who fails to attend 4 consecutive meetings without good cause as determined by the Mayor shall be deemed to have resigned.

§ 14-14. Powers and duties.

(a) *In general.*

The Commission is charged with the responsibility of assisting the Office of Aging and other units of City government in the coordination of an effective program of services to and opportunities for older individuals.

(b) *Duties of the Commission.*

In coordination and consultation with the Office, the Commission shall:

(1) review and propose improvements to existing City programs;

(2) research and recommend new programs;

(3) evaluate current programs and proposed legislation to determine their impact on older individuals; and

(4) identify federal and state funding for City programs to meet the needs of older individuals.

(c) *Report on findings.*

The Commission shall routinely brief the Director on programs and policies concerning older individuals as reflected in:

(1) the Ordinance of Estimates;

(2) other ordinances; or

(3) administrative policies of the Office and other units of City government.

(d) *Hearings and studies.*

As appropriate, the Commission shall hold hearing and undertake surveys and studies to:

(1) evaluate existing municipal programs for older individuals; and

(2) make recommendations for the improvement of existing municipal programs to the Director.

(e) *Evaluation of how information is disseminated.*

The Commission shall:

(1) evaluate the methods by which information concerning available municipal programs for older individuals is disseminated; and

(2) recommend communication improvements to the Director.

(f) *Annual report.*

The Commission shall submit an annual report to the Mayor and City Council on its activities.

Article 8. Ethics

Subtitle 7. Financial Disclosure

Part II. Who Must File

§ 7-8. Persons required to file - Agency officials and staff.

The following officials and employees must file the financial disclosure statements required by this subtitle:

(1)*Aging* [*and Retirement Education*], *Office of, and Commission on* [*the*]

(i) Members of the Commission.

(ii) [Executive] Director of the Office.

(iii) All Bureau Heads, Division Chiefs, and Administrators of the [Commission] Office.

(iv) All non-clerical employees of the Office.

Section 3. And be it further ordained, That the City Council intends that the Office of Aging is the successor entity of the Baltimore City Health Department Division of Aging and Care Services and that all current employees of the Baltimore City Health Department Division of Aging and Care Services are transferred to the Office of Aging. The Council further intends that any current employee that may be transferred to the Office of Aging as a result of this Ordinance shall be transferred without diminution of that employee's rights, benefits, employment, or retirement status.

Section 4. And be it further ordained, That the City Council intends that the Commission on Aging is the successor entity of the Baltimore City Commission on the Aging and Retirement Education and that all current members of the Baltimore City Commission on the Aging and Retirement Education are retained and shall continue to serve as members
of the Commission on Aging.

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Section 5. And be it further ordained, That this Ordinance takes effect on the 30th day after the date it is enacted.