

CITY OF BALTIMORE - CHARTER AMENDMENT

Article X. Office of the Inspector General - Office of Inspector General: Advisory Board.

(A) IN GENERAL.

(1) the Inspector General is appointed by an Advisory Board to be comprised of 11 members as provided in this section.

(2) the Advisory Board is entitled to the assistance of the Baltimore City Department of Human Resources for purposes of advertising a vacancy and interviewing and hiring candidates for the position of Inspector General

(3) the Mayor must provide the Advisory Board with access to city resources to facilitate the Advisory Board's completion of its responsibilities.

(B) QUALIFICATIONS.

An individual is qualified to serve as a member of the Advisory Board if the individual:

- (1) is a Baltimore city resident
- (2) is over the age of 21 years old;
- (3) has never been convicted of an offense under section 16-201 (a)(5) or (6) of the state election law article;
- (4) has a background in, or familiarity with, ethics, law, program or performance evaluation, or accounting or has a familiarity with the office of the Inspector General and the duties of office.

(C) ELIGIBILITY.

In addition to the required qualifications in subsection (b) of this section, an applicant is not eligible for appointment to the Advisory Board if the individual:

- (1) is or becomes an employee or elected officer of:
 - (i) the state of Maryland;
 - (ii) the city of Baltimore;
 - (iii) any state or city agency, or any other unit of a state entity except:
 - (a) a state college;
 - (b) a state university; or
 - (c) another institution of higher education;
- (2) is or becomes a candidate for elected public office of:
 - (i) the state of Maryland;
 - (ii) the city of Baltimore; or
 - (iii) any county or municipality of the state.

- (3) is or becomes an elected municipal officer's:
 - (i) Spouse, parent, child or sibling
- (4) is or becomes a responsible officer, as defined in section 1 -101 (MM) of the state election law article;
- (5) is or becomes employed by the city of Baltimore or Maryland
- (6) is or becomes a lobbyist under:
 - (i) the state general provisions article, title 5
 - (ii) article 8, subtitle 8 {"lobbying"} of the city code; or
 - (iii) the ethics code of any political subdivision of the state:•• or
- (7) is or becomes associated with a business entity as described in article 8. Section 6-6 {"prohibited participation"} of the city code.

(D) NOMINATION PROCESS: IN GENERAL.

Each Council persons select 1 applicant as the nominee to the Advisory Board from their district

(E) NOMINATION PROCESS: DIVERSITY.

The membership of the Advisory Board must be inclusive and reflect the racial and gender diversity of the city of Baltimore.

(F) NOMINATION PROCESS: FINAL APPOINTMENTS.

(1) Final random selections to the Advisory Board must be made by the Chair of the Board of Ethics, pursuant to this charter.

(2) 7 of the 11 members of the Advisory Board must be randomly selected by the Chair of the Board of Ethics on the following basis:

- (i) 1 member from among the 2 nominees submitted from City Council districts 1 and 2;
- (ii) 1 member from among the 2 nominees submitted from City Council districts 3 and 4;
- (iii) 1 member from among the 2 nominees submitted from city Council districts 5 and 6;
- (iv) 1 member from among the 2 nominees submitted from city Council districts 7 and 8;
- (v) 1 member from among the 2 nominees submitted from City Council districts 9 and 10;
- (vi) 1 member from among the 2 nominees submitted from City Council districts 11 and 12; and
- (vii) 1 member from among the 2 nominees submitted from City Council districts 13 and 14.

(3) the remaining 4 members shall consist of:

- (i) 1 member who is a Certified Fraud Examiners
- (ii) 1 member who is a Certified Public Accountants
- (iii) the Dean of the University of Maryland school of law or the dean's designee
- (iv) the Dean of the University of Baltimore school of law or the Dean's designee.

The 4 members of the Advisory Board selected pursuant to paragraph (3) of this subsection must also comply with all eligibility and qualification requirements for Advisory Board members outlined in this subsection.

(G) TERM OF MEMBERS.

- (1) the terms of the members of the Advisory Board must be staggered may not be coterminous with the Mayor's term of office.
- (2) of the initial 11 appointments to the Advisory Board:
 - (i) the members appointed pursuant to paragraphs (2)(v) (3) of Subsection (f) of this section must each a term of 3 years; and
 - (ii) the remaining members must each serve a term of 4 years.
- (3) after the initial terms of the Advisory Board members expired, a member of the Advisory Board shall serve a term of 4 years.
- (4) the term required by paragraph (2)(1) of this subsection shall be 2 considered a full term for the purposes of the term limits established in 3 article iv, section 6(e) of this charter.
- (5) no member of the Advisory Board may serve more than 2 consecutive full terms.

(H) REMOVAL OF ADVISORY BOARD MEMBERS.

Member of the Advisory Board may be removed for cause by a vote of the majority of the members of the Advisory Board.

(I) VACANIES.

The chair of the board of ethics shall select at random a member from the 17 nominations submitted at the outset of that particular position's term.

(J) PROCEDURES

- (1) a quorum of the Advisory Board consists of 4 members.
- (2) the Advisory Board shall elect a chair from the membership of the Advisory Board.
- (3) an affirmative vote of at least 4 members shall be necessary to appoint an Inspector General.

(K) REQUIRED TRAINING

Prior to beginning their duties, the members of the Advisory Board shall attend a training session, to be provided by the Office of the Inspector General that details:

- (1) the rules governing the Advisory Board; and
- (2) the rules governing and duties of the Inspector General

(L) ANNUAL OVERVIEW

The Advisory Board shall appear before the City Council at least once a year to provide the City Council with an overview of the activities of the Advisory Board and the office of the Inspector General.

3. Office of Inspector General: The Inspector General.

(A) Qualifications.

(1) The Inspector General shall be appointed without regard to political affiliation and must have substantial experience in auditing, financial analysis, criminal justice law, management analysis, public administration, investigations, or another appropriate field.

(2) The Inspector General shall hold at the time of appointment, or be required to obtain within 7 months after appointment, certification as a Certified Inspector General.

(B) Term.

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

(C) Removal.

The Inspector General may be removed from office by an affirmative vote of a majority of the members of the Advisory Board for:

(1) misconduct in office;

(2) persistent failure to perform the duties of office; or

(3) conduct prejudicial to the proper administration of justice.

(D) Reports concerning a vacancy or incapacity.

Whenever the Office of the Inspector General remains vacant for 180 days, or whenever the Inspector General is incapacitated or otherwise unable to perform the duties of the office for 180 days, the Chair of the Advisory Board shall issue a report to the City Council on the 180th day, and every 2 months thereafter until the vacancy is filled or the Inspector General reports to work, describing the status of the efforts to fill the vacancy or the status of the Absent Inspector General.

(E) Performance review.

The Advisory Board shall meet at least once annually to review the performance of the Inspector General.