



Retirement News Highlights

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City Council President Mosby slams veto of bill to reduce pension requirements for Baltimore council members

By Emily Sullivan

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City Council President Nick Mosby decried Mayor Brandon Scott's veto of his bill to reduce the amount of time served for council members to qualify for a pension, saying his decision will discourage people of all backgrounds from running for office.

"We must actively remove barriers for citizens to seek public office, or else we risk perpetuating circumstances that ensure only the wealthy and well-connected can serve," he wrote in a letter to the mayor released Monday.

Mosby's bill followed the passage of Question K, a charter amendment that restricts elected City Hall officials to two four-year terms in office. The term count will begin in 2024 for all elected officials, no matter how many terms they served before. It will not bar officials from moving from one office to another, where the term count would reset.

The charter amendment was the only ballot measure that was not written by City Hall officials. David Smith, the executive chairman of Sinclair Broadcast Group, has spent more than \$800,000 funding a PAC that got the question on the November ballot by collecting 10,000 signatures from city voters. The PAC also unsuccessfully attempted to collect enough signatures to put a measure to recall elected officials on the ballot.

Council members, along with other city workers, currently qualify for a pension after 12 years in office. They can continue to work toward their pensions by moving to the citywide offices of mayor, comptroller and City Council president — all of which are currently held by current council members.

Mosby introduced the vetoed bill shortly before the election, saying that Baltimoreans considering running for the council could be dissuaded to do so without the opportunity to qualify for a pension while holding office.

"Further, future City elected officials will find it absolutely illogical to pay into a pension system that has structural, intentional obstacles, designed by the creators of Question K and supported by your veto, that will keep them from becoming vested in the pension," he wrote.

Scott vetoed the bill last week, citing concerns from the city ethics board that the bill may violate Baltimore's ethics policy and undermine confidence in elected officials. Scott's office did not immediately respond to requests for comment on Mosby's letter.

Those concerns were detailed in a letter from Board Chair Stephan Fogleman sent to Scott shortly before the veto. Fogleman stopped short of asking Scott to veto the legislation, but asked him to wait to make a decision until the board could issue a formal opinion on whether or not the bill violates city ethics laws.

In his letter, Mosby said he respects the board's work and inquiry, but respectfully disagrees with their assessment.

"The Office of the Council President did not evade the review of the Ethics Board, which was not an agency our office nor the Department of Legislative Reference expected to have an interest in this manner," he wrote.

The veto was an item on Monday night's council meeting agenda. The city legislative process requires the council to wait at least five days to override or accept the veto once it is read into the record.

The council has a meeting scheduled for Thursday evening. The next meeting is not scheduled until early January.

Mosby told reporters after Monday's city council meeting that he has no plans to rally council members to override the veto, though he did not rule out supporting a push from others or pursuing separate pension legislation.

The path to the needed ten votes to overrule the mayor's decision would have been rocky.

The council narrowly passed the measure at 8-5 with abstentions from Councilmen Eric Costello and Mark Conway.

Conway said he would switch to a no vote in the event of an override, citing the ethic board's letter.

Costello said he would continue to abstain, noting that he is the only member of the council whom the legislation would immediately impact. He has been in office for eight years, having been first appointed as 11th District councilman during a vacancy. He subsequently won the 2016 and 2020 elections to represent the district.

"I take the public trust of my job very seriously," he said. "As such, it was not appropriate for me to vote for something which would directly benefit me and I will continue to abstain on any similar vote out of an abundance of caution and to ensure I am in compliance with Baltimore City's Ethics Code."

Baltimore Banner reporter Adam Willis contributed to this article.

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